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**Legislative Assembly
of Ontario**

First Session, 36th Parliament

**Assemblée législative
de l'Ontario**

Première session, 36^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Wednesday 4 December 1996

Mercredi 4 décembre 1996



Speaker
Honourable Chris Stockwell

Président
L'honorable Chris Stockwell

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 4 December 1996

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 4 décembre 1996

*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

PHYSICIANS' SERVICES

Mr Jean-Marc Lalonde (Prescott and Russell): My statement is addressed to the Minister of Health and it concerns the continued job action by Ontario's doctors. Minister, Ontarians cannot be kept in the dark any longer. They deserve to know the status of your so far fruitless negotiations with Ontario's doctors. Ontarians deserve to know what you are doing to ensure their timely access to doctors' services.

I have with me 50 letters, mostly from women, pleading with the minister to settle the dispute with doctors so that obstetricians can continue to provide their vital services. I also have heard from several constituents who have been unable to get the health care they desperately need.

M^{me} Lise Desforbes-Breau of Hawkesbury recently suffered an angina attack. She is in hospital and has been told that a cardiologist will not be available to see her until next April. Five months is much too long a wait for a patient in this condition. **M. Jean-Marcel Morin**, also from Hawkesbury, cannot get a much-needed appointment with an orthopaedic surgeon. The list goes on and on.

I have answered every one of these letters, Minister. I also hope that you will do the same. But more importantly, I hope that you will put an end to this very tragic situation that is causing unnecessary anxiety and frustration —

The Speaker (Hon Chris Stockwell): Thank you.

FAMILY SUPPORT PLAN

Mr Len Wood (Cochrane North): I want to direct my statement today to the Attorney General. December has always been a month of celebrations and festivities, but this year, because of the government's incompetence, a large number of single parents and children in Cochrane North and across the province will not feel like celebrating.

Because of the cutbacks and changes this government has made to the family support plan and your inability to deal with the mess you created, single parents and children of this province are struggling day after day to survive. Those parents are struggling to keep a roof over their families' heads. Month after month, single parents, mostly women, are placed in the humiliating position where they have to go to their landlords to beg for an extension on their rent. Many of those parents cannot

afford winter clothing for their children. To add to their despair, they cannot even get through to the plan's hotline to resolve their situations.

I am urging this government to act now and to guarantee that this tragic situation be resolved by Christmas to give the single parents and children the money they are entitled to and which they so badly need.

It's a disgrace to see this government dragging its feet the way it is and saying it's trying to correct this problem. They're blaming it on a computer glitch, but we know it's because they fired 295 workers in this province and shut down all of the family support plan offices and moved everything to Downsview. It's a mess. Everything is still sitting in cardboard boxes over there, and you can't plug cardboard boxes into the wall to make sure the computers work. It's a shame.

GUELPH GRYPHONS FOOTBALL TEAM

Mrs Brenda Elliott (Guelph): Today I proudly wear red and gold, the colours of the Guelph Gryphons. It's my pleasure to announce that the University of Guelph Gryphons are the provincial champions of the Ontario University Athletic Association. They defeated the University of Waterloo to capture the prestigious Yates Cup, the oldest cup in football, dating back to 1898. It's their third Ontario championship since 1984.

As well, the Gryphon locker room has won a berth in the Canadian Football Hall of Fame and Museum in Hamilton for a display to be completed in May 1997. Nicknamed the Gryphon Lair, the room was chosen after a competition open to all of the teams. This display will depict the complete red-and-gold locker room and is decorated with many action photos of former Gryphon players and champions, including my colleague from Quinte, Doug Rollins. A six-foot gryphon is painted on the wall because as the players have headed for the field they have traditionally touched the front claw for good luck. Not only was the team victorious, but coach Dan McNally was also honoured as Coach of the Year for 1996.

Sometimes people jokingly refer to the University of Guelph as "Moo U" because of its agricultural excellence. Well, this university has a terrific athletic presence in Canada, and I congratulate everyone in the University of Guelph sports organization for their excellent representation of the university and of the city of Guelph.

HOSPITAL RESTRUCTURING

Mr Michael Gravelle (Port Arthur): Earlier today in Thunder Bay, Health Minister Jim Wilson announced the details of just what his ministry is willing to provide to our community in the wake of the restructuring commis-

sion's final directives and the subsequent proposal made by the regional hospital related to a new acute care hospital in Thunder Bay.

While I am pleased that the minister listened to my call for an increase in the proportion of capital funding provided by the province, it is impossible to not be disappointed and frustrated that he will not allow the 70% provincial commitment to be used to build a new single acute care site in the city. I remain convinced that the minister, without any engineering or architectural reports, has grossly underestimated the cost of a refurbishment of the Port Arthur General site, and on the other hand has overestimated the cost of a new site, leading him to justify his decision on a faulty financial basis. Perhaps more importantly, I regret that the minister will not allow our community to have a choice in what or where their permanent acute care site for the long-term future will be. That decision should be ours.

As well, there are so many other aspects of the minister's announcement today that need to be addressed. We still remain gravely concerned about our bed numbers, the future of our psychiatric services and our long-term-care facilities and needs.

We'll be watching closely and working together as a community to ensure that all of these areas of concern are addressed. But for now this minister should know that we will continue to fight, because our lives depend on it.

MUNICIPAL RESTRUCTURING

Mr Tony Silipo (Dovercourt): I continue to receive letters and petitions from many citizens in my riding and other parts of Metropolitan Toronto who are upset about the haste with which this government is moving on amalgamation of cities within Metropolitan Toronto. I want to read out one letter that comes from a long-time supporter of the Conservative government and a constituent of mine, Donald C. Harrison, who writes:

"Dear Mr Harris

"As a lifelong citizen of the city of Toronto, and as a long-time supporter of your party, I urge you to proceed with great caution about amalgamating the city of Toronto with the surrounding sea of suburbia. It seems to be quite unclear that this will save anyone any money. It will result in a much larger and less sensitive bureaucracy. It will be too large for the ordinary citizen to know and have ready access to local municipal politicians. Toronto will lose its unique character as a series of different neighbourhoods. The downtown core of the city is the business and financial centre for all of Canada, and has its own particular problems, which simply cannot be lumped in with the problems of the dormitory suburbs.

"Certainly improvements in the present arrangements can and should be made. But what is all the rush about? The citizens living here in the city should have their say as to what should be done, and hard and hasty decisions should not be imposed dictatorially from the top down with little or no discussion or involvement. I urge you to make haste slowly, and only after fair consultation with those of us who live here and call the place home."

I know the words of Donald C. Harrison of Wychwood Park in my riding are reflected by many in the riding of

Dovercourt and across the province in calling upon the government to go slowly on this very important issue.

1340

HOSPITAL RESTRUCTURING

Mr Bert Johnson (Perth): Members of the Huron-Perth District Health Council task force conducted an options information session in Mitchell recently. The purpose of this session was to announce the three hospital restructuring options established for the counties of Huron and Perth.

The task force established and considered a long list of options to reconfigure the hospital system in Huron-Perth. They have set their goal at eliminating duplicated services and excess capacity while accelerating the shift from inpatient to outpatient care, all the while maintaining or improving patient care. These options are by no means final. The options are in fact starting points for detailed analysis and consultation.

The next step being taken by the task force is to hold open house discussions across Huron and Perth. These sessions will be used to inform the people of Huron and Perth of the preferred option established by the task force and to obtain feedback.

I'm encouraging everyone in Perth to participate in this process and bring forth their ideas on how to meet their health needs now and in the future.

Well aware of the need for change, people in the riding of Perth are working together to come up with the resources and fresh ideas necessary to make quality, affordable health care a reality.

PROTECTION OF PRIVACY

Mr Pat Hoy (Essex-Kent): Since taking office, this government has taken an axe to the budgets of every single ministry. Jobs and services have been cut, leaving crucial programs without sufficient staff to properly administer the needs of Ontario residents. Services have been privatized without due care and attention to safety issues, to administrative issues, to labour issues and to issues involving the protection of the privacy of personal information of Ontarians.

Just this week, one of my constituents has been the victim of the ineptness of the Ministry of Transportation and the company hired by the ministry to distribute licence plate renewals. My constituent received an envelope addressed to him, but inside that envelope was the plate renewal for some other person. His renewal, which gives vital personal information, has been sent to someone else. It includes his name and address, yet the ministry and the company refuse to take the steps necessary to retrieve his information. If you hire somebody to do a job, they should be competent to begin with and at least willing to correct their errors.

What kind of false economy is the government practising and how are my constituents' privacy rights going to be protected?

VANIER CENTRE FOR WOMEN

Mrs Marion Boyd (London Centre): The government's proposed closure of the Vanier Centre for Women

in Brampton and the placement of all provincial women prisoners into a superjail is both foolish and costly.

The Vanier Centre is a dedicated facility for women which has developed programs specific to the needs of women. A woman's reality is substantially different from that of a man, due in large part to her perceived secondary status in society. Female offenders are almost invariably victims of male violence. They experience low self-esteem and have not developed the ability to act on their own behalf. Women offenders typically have depended upon men or society to maintain themselves economically. They are often caught up in destructive lifestyles that lack purpose and reason.

Vanier is a unique facility which provides specialized programs to deal with issues like physical and sexual abuse, lack of trust in relationships and low personal aspirations. Based on compassion and understanding between staff and offenders, the Vanier program provides support, role modelling, behaviour modification and problem-solving skills. Offenders in the Vanier program are 15% less likely to reoffend than offenders who receive no treatment.

The Vanier Centre is a facility whose success in preventing recidivism is proven. The cost of effective corrections at the provincial level must be balanced with the cost of recidivism if specialized programs are not provided. Shame on the government for even considering closing the Vanier Centre.

MARTIN AND OLIVIA STREEF

Mr Ernie Hardeman (Oxford): I rise in the House today to honour and congratulate two of my constituents, Martin and Olivia Streef. The Streefs were recently named Canada's outstanding young farmers at the Royal Agricultural Winter Fair.

This award recognizes young farm couples who exemplify excellence in their profession based on their achievements in conservation, agricultural production and community involvement. Earlier this year, the Streefs were named Ontario's outstanding young farmers.

Martin and Olivia operate Streef Produce Ltd in Princeton, where they grow potatoes, baby carrots, pickling cucumbers, along with yellow and green beans.

During the competition the Streefs had to present a speech based on the topic, "How would you improve your sector of agriculture in today's Canadian business climate?" I believe this passage from the speech is appropriate, "By taking care of problems one by one as they arrive and correcting the wrongs of the past, we will make our sector just a little stronger, fairer, more level and equal for everyone involved."

I would like to congratulate this couple on their contributions to farming and to the community of Oxford.

SPEAKER'S RULING

The Speaker (Hon Chris Stockwell): The member for Essex-Kent rose on a point of order yesterday with respect to the Speaker's robes and wearing them in the assembly. I suggest to the member that it wasn't out of order specifically for the member for Perth, I think you were responding to, but having discussed this today at

presiding officers' meeting, we will be more vigilant in the future and give you our undertaking that specifically that kind of instance wouldn't happen again. Thank you for raising it.

STATEMENTS BY THE MINISTRY AND RESPONSES

GOVERNMENT'S AGENDA

Hon Michael D. Harris (Premier): I wish to rise today to make an important statement regarding our government's agenda.

On May 3, 1994, I stood in the media studio downstairs from this House and launched the Common Sense Revolution. This plan was four years in the making. It was built upon hundreds of hours of consultations and dialogue with the voters of this province.

On June 8, 1995, after 13 months of campaigning on this plan, we were elected to implement the changes that would benefit all Ontarians.

The Common Sense Revolution, developed by Ontarians, is a plan to bring jobs and hope and opportunity not only for the people of Ontario today, but also for all of our children tomorrow.

This goal of a stronger, more sustainable future is built on five key principles: (1) lowering taxes to encourage more consumer spending and create jobs; (2) less government spending; (3) removing barriers to growth and investment; (4) doing better for less; and (5) a fully balanced budget.

Over the past 18 months, our government has already kept many of the commitments we made to achieve these principles.

We have cut personal income taxes, giving back to Ontarians more of their own hard-earned money. How Ontario families spend their own money will create far more jobs than government can ever create by spending it for them.

We're already starting to see the results. Retail sales were up a full point in September alone. Housing starts were up an encouraging 6.2% in the third quarter. Auto production reached an all-time record level, averaging 220,000 units in the second quarter of 1996. Consumer confidence in Ontario has risen by 19.2% so far this year.

We have cut payroll taxes, effective January 1, in an effort to reduce the cost of doing business in Ontario. We have cut red tape and we have moved to reform a number of agencies that have stood in the way of job creation. We have also ended corporate welfare.

The results? Since our government's first throne speech, 136,000 net new jobs have been created in Ontario, more than 60% of all the jobs that have been created in the entire country. I invite Ontarians to contrast this with 10,000 net lost jobs during the entire five-year period from 1990 to 1995.

We are particularly encouraged by the results we are seeing in youth employment. In the past year, October over October, youth employment decreased in the rest of Canada by 63,000. At the same time in Ontario, youth employment increased by 10,000, contrary to the trends in the rest of Canada.

We have ended unfair job quotas, thereby restoring the merit principle in hiring and promotion decisions. We have repealed job-killing labour legislation and we've restored a balance between labour and management in labour relations.

The results of these measures are clear: Businesses in Ontario are planning to increase plant and equipment spending by 11.9% in 1996. Nationally, 53% of businesses surveyed cite Ontario as the most desirable location, the most desirable province for investment and job creation.

We've already identified \$5 billion on an annualized basis of the \$8 billion we need to find in waste and overspending while maintaining, and in many cases enhancing, our priorities. For example, we are spending \$300 million more this year on health care than we committed. We will spend \$200 million more on child care, \$5 million on school nutrition programs, \$10 million on a healthy babies initiative, to name just a few.

1350

The deficit will be slashed by 40% by next year and, as the Dominion Bond Rating Service, one of the toughest rating services, has confirmed, the deficit is fully on track to being totally erased by the year 2000-01.

When we took office the deficit was over \$11 billion annually. The debt had tripled to nearly \$100 billion, the equivalent of \$46,600 for each and every school child in Ontario. Unacceptable.

We have set welfare rates at 10% above the average of the rest of the country. We have reformed the welfare system. We are making mandatory work for welfare a reality in Ontario. We have provided incentives to work by allowing welfare recipients to earn money up to the level of previous welfare rates without any penalty.

These changes, coupled with an income tax cut of more than 40% for low-income families and increased access to the Trillium drug benefit plan, are encouraging the work ethic in Ontario and providing incentives for individuals to work. The result? One hundred and ninety-five thousand men, women and children are no longer dependent on welfare today, down from 1.3 million in 1995.

Ontario is on the move again. For the first time this decade, Ontario is leading the country in growth, jobs and investment. We're nearing our goal of a better province for our people and our children. The momentum is there and the results are clear.

We still face an ambitious agenda and many difficult challenges, but we are on track to achieving the five key principles we set out in the Common Sense Revolution that will help us reach our goal of a better Ontario today and for our children.

It is not enough to just cut taxes to create jobs today; we must tackle the problems that led to those high taxes in the first place. We must not just cut government spending; we need to restructure government itself. No one would argue with the view that government in this province has become too big, too wasteful and too complicated.

To address this, we are leading by example. In addition to cutting MPPs' pay by 5% and scrapping the gold-plated MPP pension plan, we've brought in legislation to

cut the number of MPPs at Queen's Park from 130 to 103, but we must do more at all levels of government. There is still waste and there is still duplication that can be eliminated.

For example, I have in front of me two stacks of what is 130 pieces of provincial legislation that tell municipalities exactly what they can and what they cannot do.

For example, when a family in North York goes to Earl Bales Park they might find any number of staff from two levels of government and a conservation authority, all working in this one park. In Metro Toronto alone there are 217 municipal politicians, including 111 school board trustees.

In education, we have begun to restore excellence and accountability to our school system by putting students first. We are setting clear, high standards for student performance and we're developing —

Interjections.

The Speaker (Hon Chris Stockwell): Order. That was the opposition. I'm having difficulty hearing the Premier. I ask that you come to order, please. Thank you.

Hon Mr Harris: We are setting clear, high standards for student performance and we are developing real, tangible methods of measuring a student's progress. While we are confident that we have the best classroom teachers in the world right here in Ontario, we do need to look more closely at the system, a system where the highest-spending school boards spend almost \$2,500 more per student than some other boards in the province, a system where 47% is spent outside the classroom.

Since 1985, school enrolment has increased by 16%, inflation by 40% but operating expenses increased by 82%. These examples illustrate why we decided to establish the Who Does What panel earlier this year.

Just as we said in the Common Sense Revolution, we do not need every layer of government that we have now. Taxpayers deserve a restructuring of these cumbersome bureaucracies.

We asked David Crombie and a panel of distinguished Ontarians how we could make the provincial and municipal levels of government in Ontario work better for the taxpayers they serve by cutting the size and cost of government, by rooting out waste, by ending duplication and overlap and by doing better for less. Despite over 60 studies on municipal government in Ontario in the past three years and despite 22 studies on school boards, no action had been taken.

The Who Does What panel was asked to give us advice on how we could, once and for all, take action. Specifically, the task force had two main components: how municipalities are governed, and what each level of government should do.

This Friday, Mr Crombie will be releasing his advice on municipal governance. We will review his recommendations and bring forward our first piece of legislation before Christmas in order to ensure that changes can be implemented before the next municipal elections.

The task of reviewing governance also included schools in Ontario. Members will know that Mr Crombie delivered his recommendations on education on November 13. We will be signalling our intentions on this very important decision early in the new year, again in order to make changes before the next municipal elections.

The second task undertaken by Mr Crombie and his panel was to root out waste in government by ending duplication and overlap between the province and municipalities. This disentanglement process was started under the previous government. Ten letters of recommendation on this issue have already been delivered, with final recommendations from the panel and the wrapup expected within the next two weeks.

After receiving these final recommendations, we will bring forward the legislation necessary to ensure that the newly defined responsibilities will be in place for 1998, following the 1997 municipal elections.

In the meantime, starting tomorrow and continuing over the next few weeks, individual ministers will be confirming transfer payments for 1997. Spending by the province, school boards and municipalities totals now close to \$80 billion a year.

We're confident that these decisions stemming from the Who Does What exercise, as well as our ongoing efforts within Queen's Park, will allow us to meet the fiscal goals we have set. We are confident that ending waste, eliminating duplication and overlap, reducing the size and cost of government will save the less than four cents on every dollar spent that we need to achieve by the turn of the century to fully balance the Ontario budget.

These are important decisions that require focused attention and require appropriate public input and consultation. That is why today we are calling for a special session of the Ontario Legislature to deal with the various pieces of Who Does What legislation.

Beginning January 13 and throughout January, February and March, we will have an opportunity to debate, to hold public hearings and to finalize the changes that need to be made to reduce, once and for all, the size and the cost of government in Ontario that will lead to savings for the taxpayers of this province.

This special Who Does What session will be busy, but it will go a long way in ensuring that Ontario truly turns the corner towards jobs, prosperity, opportunity and renewed hope for our children's future. I'm calling on all members on all sides of the House to lend their support and to lend their cooperation for this very special and this very important session.

1400

Mr Dalton McGuinty (Leader of the Opposition): This gives me an opportunity to contrast my vision for our province with the one just put forward by the Premier.

It's interesting to note that "the goal of a stronger, more sustainable future is built on five key principles." I'm quoting from the minister's statement. He talks about the importance of lowering taxes, reducing government spending, removing barriers, a balanced budget, and generally doing better for less.

I think there's more than a fiscal test to be applied to government. The fiscal test is surely an important test, but there's more to government than that. It was Hubert Humphrey who spoke about the importance of a moral test. He said that it was important to ask ourselves how we're treating those in the dawn of life, our very young; how we're treating those in the dusk of life, our very old;

and how we're treating those in the shadows of life, our sick, our poor and our disabled. I believe in the importance of applying the moral test to government, and that makes me different from the Premier.

There is no reference in this statement to the needs of the homeless or what this government might do to address those problems. There's no reference in this statement, in any real sense, to the special needs of women, particularly abused women, women in need in this province, or what this government might do to address those needs. There's no reference in this statement to poor children and their special needs and the special obligation this government has to address those needs. This government is doing nothing of any real substance to address those needs.

There's no reference in this statement to the special needs of the sick in this province. What we do know when it comes to the sick in this province is that this government is continuing to hack \$1.3 billion from our hospitals. They're closing hospitals, they're shutting down emergency wards and they're taking 13 million caregiving hours out of the system. On top of that, they've imposed \$225 million in additional, new user fees for seniors who try to buy drugs.

With respect to education, at a time when we ought to be doing everything we can to ensure that we have the best-educated, the most skilled population on the planet because we live in a global economy, because we all understand that if we're going to get ahead in the new economy, we're going to do it with brain power, at that time, what are we doing? We're slashing classroom spending. We're putting students in larger classrooms. We're closing school libraries. We're increasing tuition fees. We're making cuts to colleges and universities.

It's interesting to note that last year, 45 out of 50 American states increased funding to their public universities. What is it that they know that we don't know? We cut funding to our universities. They understand the importance of investment in education, of investing in their people.

But let's for a moment stick to the fiscal test. I don't believe this government is even going to pass its own fiscal test. The government believes it's important to introduce some business principles into government, and to some extent that has some truth. But I can tell you, if we were all sitting around a corporate boardroom table today and our finance person were to tell us that we were bleeding profusely, that we were losing money, and somebody else were to propose that we declare a dividend to benefit the shareholders or that we give all the employees a bonus, the rest of us would say, "We can't do it because we simply can't afford it."

The same applies with respect to the 30% tax cut. We're going to borrow \$12 billion, at great expense, not only financial, but at great expense and great cost to the people in this province. Ultimately, that's what government is all about: We're not for bigger interests or bigger government or bigger business or bigger unions or bigger interests of any kind; we're for people. This government doesn't understand that. It's the people who are being hurt by its actions.

We had hoped that there'd be no more cuts to schools, that we'd have a plan here today to combat child poverty,

that we'd have a new plan for jobs other than simply cutting and privatizing them. Unfortunately, for the sick, the old, the disabled, the poor and the unemployed, this Premier hasn't heard their message. Unfortunately, this Premier has failed to learn that as a government you've simply got to marry fiscal goals with compassionate concerns.

What the Premier is telling Ontarians is that if you don't like what he's done so far, if you don't like the cuts to schools or to municipalities, if you don't like closing hospitals and universities, you ain't seen nothing yet, you ain't seen the Who Cuts What session. It's a sad day for Ontario —

The Speaker: Thank you. Responses. The leader of the third party.

Mr Howard Hampton (Rainy River): Twice now in less than a week the people of Ontario have been treated to two spin-doctoring exercises; one by the Minister of Finance, who strives desperately to avoid telling people across Ontario where he is going to take the next \$3 billion from, who strives desperately not to tell the people of Ontario who is going to lose their job, how much is going to be taken out of education, how much is going to be taken out of health care, how much is going to be taken from the disabled, how much is going to be taken from kids, how much is going to be taken from seniors. That is the issue that this government is confronted with.

We see yet again today an effort by the Premier of the province to somehow spin doctor himself away and around that. The Dominion Bond Rating Service two weeks ago produced their paper where they said that the government, in order to finance their phoney tax scheme, will have to cut another \$3 billion now and very likely another \$2.8 billion down the road.

That is the real issue that confronts Ontario. The fact of the matter is that health care is being cut, education is being cut, children are being cut, communities are being cut, seniors are being cut and the disabled are being cut in order that this government can finance its phoney tax scheme to benefit some of the wealthiest people in the province.

I just want to give a few examples of that. The Premier talks about jobs; the fact of the matter is that there are 57,000 more people unemployed in Ontario today than there were a year ago.

Interjections.

The Speaker: Order. Can I ask the government members to come to order. The member for Etobicoke-Humber, it's difficult to hear when you're heckling, and the member for Brant-Haldimand as well. Thank you. Leader of the third party.

Mr Hampton: The other fact is that the Premier talks about jobs. In the Common Sense Revolution, he talked about 725,000 new jobs over four years. If you take where the government is at currently, the government is going to miss its mark by at least 225,000 jobs. That means 225,000 more people unemployed as a result of this government.

The government talks about child care. They want to spin it for people that they're spending more on child care. How is it, then, that child care centres here in Toronto are closing, that thousands of child care spaces

are being lost across the province? How is it that child care workers are going to be asked to take a \$4,500-a-year pay cut by this government at the same time that this government gives bank presidents a \$200,000 tax break?

1410

Another example: Women's crisis centres are having to close their second-stage housing. They're closing down their counselling services. Women who have left abused relationships are having to return to those abused relationships because this government's cuts have left them no alternative. Children are being forced to go to food banks because this government shut down the family support plan, shut down the eight regional offices, laid off 290 of the staff, can't deliver the child support cheques any more. Children who are entitled to child support, legally entitled to it, don't get it any more in order that this government can give their corporate friends a large tax benefit.

It goes on and on. The Premier talks about his government's agenda for education. The only agenda we've seen from this government was to take \$800 million from education last year, and it's going to take another \$800 million this year. This has meant that children don't get special education any more, that children who need to learn how to read don't have access to the school library any more, because there's no one to staff it. This means that children are losing so that bank presidents can get a tax benefit from this government. Children lose.

I could go on, but let me just say this: We welcome a special session of the Legislature this winter. We're going to come here and hold this government accountable. We're going to ask this government how they can take \$15 million from injured workers to give their corporate friends a further \$6 billion; how the education system can improve when you're taking almost \$2 billion out of it; how it makes sense to force things like ambulance services and homes for the aged down on to the municipal property tax base.

ORAL QUESTIONS

HOSPITAL RESTRUCTURING

Mr Dalton McGuinty (Leader of the Opposition): My question is for the Premier. You are destroying health care in Ontario. You aren't restructuring it, you aren't reforming it; you're destroying it. Yesterday your hospital elimination commission rolled into Pembroke and closed Pembroke Civic Hospital. It shut down 55 acute care beds, more than one third of the beds in town. It put 300 people out of work. Premier, why are you shutting down 55 acute care beds in Pembroke and firing 300 caregivers?

Hon Michael D. Harris (Premier): The Minister of Health is not here, but I have some information on the Pembroke restructuring. I'm told it was pretty much in line with the district health commission, that the recommendations were consistent with what was developed locally. These are initial recommendations. As I said, it tends to confirm what the locals had decided would be in their best interests.

The ministry received the report I think late yesterday afternoon as well. We will review and study the report. I hope you will too, and perhaps the local member, and we'll all make our recommendations on advice on how we can deal with the health care system. It clearly has too many beds, many of them shut down by your government and the NDP government, but does not have enough money, unless we find savings where there is waste, to provide a number of the new services, the new technologies it's our goal to provide.

Mr McGuinty: Premier, the difference between you and me when it comes to health care is that you see health care through the eyes of an accountant. To you it's just something to cut. I view health care through the eyes of the community. A hospital is part of a community's soul. That's where your babies are born, that's where you take your kids when they're sick and that's where your parents pass on. How can you rip 96 years of history out of the Pembroke community? Why did you stop believing in communities and their traditions?

Hon Mr Harris: I have a media release here from the district health council. These are the local residents. This is from the chair of the Renfrew County District Health Council. Here's what the local people are saying, those who are involved in providing quality health care for those in the area. The district health council says it welcomes the report of the Health Services Restructuring Commission that was made public today. They believe that this will allow us "to serve people much closer to home" and will very much improve services in their own community.

There were, for the last 10 years, governments that cut the number of beds. I think between the Liberals and the NDP, a total of 8,000 beds were closed in the province but not one hospital. If we are able to find the real savings from those beds that you have shut down, then in fact we'll be able to help many more people, individuals, in their home, closer to home, more services, reinvestment, new technologies, ensuring the best medical services. It's what the people of Renfrew county want, the people of Pembroke want, and I would think that you would want to be supportive.

Mr McGuinty: There's an expression in law for what's just happened. The DHC is acting under duress; it's hardly acting of its own free will, and it certainly does not represent the views of the local community.

My view of a better health care system is one where people get all the health care they need when they need it and where they need it. Your view is a system that pleases no one but the bean counters. It's just a place to chop \$1.3 billion.

Let me tell you what the people of Pembroke are saying. One nurse at the Pembroke Civic Hospital says, "I'm pretty devastated by the number of acute-care beds we're losing." Here's what a lab technician named Garland Wong has to say: "It's not a win-lose situation. Everybody lost. We're losing beds. We're losing staff. What more can the people do?"

Premier, isn't this the case in every community in Ontario? As you close hospitals, aren't you putting every community in a lose-lose situation?

Hon Mr Harris: I am really surprised at this member. On September 22, 1996, in the Kitchener-Waterloo

leadership debate, Dalton McGuinty said: "I am convinced there is enough money in the health care system. I don't think we're spending it as effectively as we can." That is exactly the problem.

What the district health council in Renfrew said is: "We have enough money here. You have allocated us enough money, thank you very much, Jim Wilson, but it is not being spent as effectively and appropriately as it can." Accepting their advice, we are assisting them with the restructuring required so that they can use those resources to provide far superior, closer-to-home, seamless health care to the people of Pembroke and Renfrew counties.

The Speaker (Hon Chris Stockwell): New question, leader of the official opposition.

Mr McGuinty: I have never said there wasn't enough money in the system. On the other hand, I've never said we should be taking \$1.3 billion out of it.

Interjections.

The Speaker: First off, government members, it's difficult to hear them. I warn you. It's question period. I understand the time is more valuable to the opposition. I want you to come to order.

You must direct your question, please.

IPPERWASH PROVINCIAL PARK

Mr Dalton McGuinty (Leader of the Opposition): My question is to the Premier. One of the major concerns we've had with the events leading to the clash at Ipperwash, where Dudley George was shot dead and a police officer now faces charges resulting from that death, was the widely reported fact that someone in your government had said, "Get those effing Indians out of the park, even if you have to use your weapons."

Premier, you've investigated those charges now. You've reported that your investigation showed those comments were not made at cabinet, but you have not stated whether or not your investigation found that these comments were made at any other government meeting. Will you now state unequivocally that your investigation found that no government official made those comments at any time at any meeting?

Hon Michael D. Harris (Premier): Yes, that is exactly what I have said, and I'm happy to repeat to you today that from our investigation, that of the Attorney General and of my office on anybody who was at any meeting, including September 5, no statement by any government official, to the best of our knowledge, like that was made.

Mr McGuinty: This is very important. The Premier now says his investigation found that these comments were not made, not at cabinet, not anywhere. This is news, Premier. It's news because your lawyers didn't say the same thing.

Given that you now say unequivocally that those comments were not made, can you explain why your lawyers would not say the same thing? Why did your lawyers, working under your instructions, refuse to say those comments were never made?

Hon Mr Harris: The case is, as you know, there is a matter of litigation that is there. You are a lawyer; I am

not. I can't explain how and when lawyers decide to divulge information, but you're free to ask the lawyers when they plan to divulge it.

1420

Mr McGuinty: Premier, the reason this is important is because a man is dead. There's evidence that you and your office were involved in the decisions leading up to that death. Your executive assistant was at a planning meeting just prior to the shooting, the minutes of which you have refused to release. Marcel Beaubien was sending faxes to your office and talking to Bill King. You refused to release those faxes.

Premier, we need to know how extensive an investigation you conducted. Will you release all the documents surrounding your investigation, including details relating to who you spoke to and which meetings you looked at? Will you release all that information today?

Hon Mr Harris: I think you will know that this is a matter of litigation; it is before the courts. As a lawyer, you know we will take the advice of the lawyers as to when they would wish to release information. As far as any of the litigation, there is also a very serious criminal charge that has been laid as a result of this tragedy.

I might indicate that you indicated and said in this House that there is evidence. There's not a shred of evidence. You don't have it and you will not say that outside of the House with the immunity that you have here.

The Speaker (Hon Chris Stockwell): New question, leader of the third party.

Mr Howard Hampton (Rainy River): My question is also for the Premier. It concerns the Ipperwash incident. It is clear that the OPP handled the circumstance at Ipperwash park a year ago, in September 1995, in a different manner than they had been handling previous disputes with native communities. The OPP have historically taken the approach of trying to avoid confrontation.

Premier, if not for political interference by your government, why would the OPP have suddenly changed their long-standing historical approach when dealing with disputes of this nature? Why would they have gone from non-confrontation to an armed buildup but for political interference by your government?

Hon Mr Harris: The whole matter is obviously before the courts in a number of venues. I think it's a very huge stretch for you to suggest that the OPP did anything differently. It has been reported to me and accepted to me by the OPP. There has been absolutely no change in how they planned to handle this situation from other situations. Their first priority is peacefully with negotiations. They have reported to us that this was their *modus operandi* before we were elected, after we were elected and today, that that is how they had hoped and still hope in the future to settle any disputes of this nature.

Mr Hampton: The facts speak for themselves. Prior to June 8, 1995, the public position of the OPP was to avoid confrontation with first nations, to negotiate, to discuss, and at all costs to avoid confrontation and conflict. Right away after this government assumes office there is an armed buildup by the police at Ipperwash, and as a result of that someone died. So the facts speak for themselves.

Related to that, I have another question for the Premier. On May 29 of this year you said, "At no time...was

there any direction given by any political staff or any politicians as to what the OPP should do or how they should carry out their job." Now we see that when a direct question is put to them, your government lawyers refuse to respond to a direct question about whether any government officials were involved.

Premier, do you deny categorically that directions were given to officers or representatives of the OPP by one or more of the Ontario —

The Speaker: Thank you, leader of the third party.

Hon Mr Harris: To the best of my knowledge, absolutely, categorically deny. Not only that, but you indicated that you felt when you were in government that the OPP would at all costs avoid confrontation. That is what the OPP report to us is their intention, was at Ipperwash, and is today in matters of this nature.

Mr Hampton: Here's the crux of the matter. Your officials, when the question is put to them about a September 6 cabinet meeting, clearly deny that anyone said, "Get the" — expletive — "Indians out of the park even if you have to use weapons." So they give a clear denial about the meeting that took place on September 6, but about the meeting that took place on September 5, they don't deny it.

Premier, do you categorically deny that someone at the September 5 committee meeting said, "Get the" — expletive — "Indians out of the park"? Do you categorically deny that some official, someone in the government, said that at the September 5 meeting?

Hon Mr Harris: I've been very clear on this. I was not at the meeting. Everybody I've talked to who was at the meeting categorically denies any of the allegations that you make in this regard, that quote and any of the other allegations. Quite frankly, in the case that is there, it's before the courts. I'm not a lawyer. You go figure. You guys are both lawyers, you two leaders. The plaintiffs clearly have drawn conclusions from responses to two separate questions in a formal exchange of the legal documents. All of the answers will come forward, all of the answers that you have there. We're in the hands of the lawyers. One of the most foolish things that somebody could do is pretend they're a courtroom or a legal expert and go over and take over this case.

I can tell you the facts as I know them, and I have shared the facts as I know them, but as long as you, and now the new leader of the Liberal Party, try to talk about widespread allegations, I have to tell you that to the best of my knowledge they are totally false and quite frankly tend to come —

Interjections.

The Speaker: Order. Premier, come to order, please.

Mr Hampton: My next question is also for the Premier. I would only say to you that there is an apparent contradiction between yourself and the government lawyers who are charged with handling this case.

MUNICIPAL RESTRUCTURING

Mr Howard Hampton (Rainy River): Premier, yesterday I asked the Minister of Municipal Affairs and Housing to hold a referendum on your government's plan to abolish local government, to abolish local democracy

within Metro and create a megacity government. You said it wasn't appropriate to hold a referendum.

You are a great supporter of referenda. You've released a discussion paper on referenda and you have a committee that is pushing the issue forward about holding referenda. Premier, 75% of the people in Metro Toronto want a referendum before you proceed with a megacity. They don't think the question is too complicated, even if your minister does. They want a say in how they are going to be governed. Will you call a referendum on your megacity plan? Will you let the people have some say in how they're going to be governed?

Hon Michael D. Harris (Premier): First of all, I don't have a megacity plan, so let me be clear about that. When you get into restructuring and when you get into governance issues of this nature, there are a number of proposals that are on the table. So we could have a referendum on Golden. We could have a referendum on a number of things.

But referenda really suit, as you indicate, yes or no answers. We are not interested in what will not work. We are not interested in slowly over the next 15 years eliminating any of the 15 options. What we are interested in is coming up with the best option, and we believe the process that you began with the Golden report and we then were elected to conclude is the best consultative process to follow.

1430

Mr Hampton: I want to follow up on that because I clearly heard the Premier say earlier today that the government's going to introduce legislation. I clearly heard the Minister of Municipal Affairs and Housing on the radio this morning saying that megacity is in the works and megacity is part of that.

Premier, I have a questionnaire here that you signed. It has your signature on it. It's a questionnaire that you filled out in the last election. It was from your friends at the Ontario Taxpayers Federation. I draw your attention to question 7 on page 9. You were asked about this statement: "If elected, would your party eliminate local municipalities and transfer their responsibilities to regional or county governments?" You said at that time no. You said you disagreed. Premier, you are breaking a personal promise. You are moving in the opposite direction. Will you admit that you have broken the promise you made at election time and will you admit that 75% of the people of Toronto —

The Speaker (Hon Chris Stockwell): Leader of the third party, come to order please.

Hon Mr Harris: Since we've not made a decision on this process that your government began, it's really very difficult for me to admit anything. I can tell you this: It is not my intention, I have not been lobbying for it and no decision has been made. You've heard some of the preferences of the minister, but you have not heard me lobby for entrenchment of regional government or two-tiered government. I am really hopeful, when we come to a final solution, it won't be that form of government, as the questionnaire said.

Mr Hampton: The issue is, the people of Toronto, the largest city in Canada, want a say on how they're going to be governed. You didn't think it was too complicated at election time to simply answer the question yes or no,

and that's what the people want a chance to have a say about now. They want to have a chance to say yes or no about megacity.

Premier, yesterday the mayor of Toronto wrote you a letter. She invited you to come to a public meeting next Monday night to discuss why you want a megacity. Even if you intend to ram your megacity plan through with no formal public consultation, even if you want to deny people the democratic right to decide for themselves how they're going to be governed, will you at least agree to attend the public forum sponsored by Toronto city council next Monday night to show that you are interested in hearing people's views? Will you at least go listen to people, Premier?

Hon Mr Harris: Before I answer your question — I will answer it directly — let me say that probably no matter on governance, of all municipalities but particularly Metropolitan Toronto, has had more study, more hearings, more open houses. We had them before we were elected, Golden had them, we had committees that had them. There has been more consultation.

Let me assure you of this: Whatever the final decision is that we make, it will not be made without having even an additional hearing process whereby before anybody — right now, you're having hearings on what might be an option because maybe Howie Hampton said. That's a good bet it's not the option, by the way, because that's your track record. But let me tell you, when we know the direction we want to go in, we will ensure ample public hearings for the people of Toronto.

GOVERNMENT CONSULTANTS

Mr Joseph Cordiano (Lawrence): I have a question for the Chair of Management Board. Minister, I want to ask you about your plans to hire outside consultants at \$2,600 a day to advise you on how to cut the civil service immediately, which will result in eliminating more day care workers, taking money out of the classroom and laying off highway safety inspectors. Have you developed an overall plan for restructuring your government's operations? Will you table that today? Oh, and by the way, how much is it going to cost taxpayers for you to reward your friends with government contracts?

Hon David Johnson (Chair of the Management Board of Cabinet and Government House Leader): I can assure the member opposite that the procedures we're going through will guarantee that the taxpayers will pay less. This particular process to select consultants on one basis rather than on an individual basis will save about a third of a million dollars by itself. The whole process involves using the expertise in the civil service staff to maximum advantage, but then there will be occasions when consultants are needed and this list will provide that expertise.

I also would like to point out to the member opposite that we are attempting to control and reduce consultant costs. For example, in 1989 the government of that day, represented by the Liberals, spent \$45 million on management consultants. This year, we have spent, as we come to the end of this year, well less than a third of that amount.

Mr Cordiano: Sure, and in 1989 we had a balanced budget. You have a deficit. You forget.

Interjection.

Mr Cordiano: That's right, the first balanced budget in this province for over 22 years.

Interjections.

The Speaker (Hon Chris Stockwell): Order, please. Thank you.

Mr Cordiano: It's obvious this minister hasn't got a clue. He's got to hire outside consultants to tell him what to do and he wants to do it real quick. He wants to cut all of these positions because he's got to fund his tax cut. It makes no sense, Minister, to go out and hire people at \$2,600 a day to tell you what you already know: that you've got to reorganize and restructure the government. You've got to get people in your ministries doing it. You know that's critical. If it doesn't happen that way, it's not going to happen.

Furthermore, the minister knows that at \$2,600 a day he's spending an awful lot of money. How can he justify that when he's laying off day care workers, when people are losing their jobs out there, providing real service for people who want that service, who need that service? How can you justify that? Are you so desperate that —

The Speaker: Thank you, member for Lawrence.

Hon David Johnson: This government intends to use all of the expertise, including the expertise within the civil service, to restructure this government, to make this government more affordable and to make sure that we have better services for the people of Ontario. Yes, on occasion, we will use outside consultants.

I will say, returning to the year 1989, it was in 1989 when the Liberal government was in office that the Provincial Auditor specifically expressed his concern that consultant fees had increased between 1985 and 1989 by 92%. The government represented by the member opposite had increased consultant fees by 92% within four years. Not only that, the number of people in the civil service had also increased by over 7,000 members.

EDUCATION FINANCING

Mr Bud Wildman (Algoma): I have a question for the Minister of Education and Training. I have a confidential government document from the Ministry of Municipal Affairs dated in October. It talks about removing so-called barriers to restructuring. It talks about extending this government's ban on successor rights to school boards and municipalities and about overriding contracting-out clauses in collective agreements.

This opens the door for privatizing school services, among other things. It means that school boards would be able to fire their school janitors, who keep the schools clean and safe, and replace them with temporary workers hired by private contractors. Does the Minister of Education and Training agree with removing successor rights and overriding contracting-out clauses in collective agreements?

Hon John Snobelen (Minister of Education and Training): I want to thank the member opposite. I don't have a copy of this so-called leaked document, but I can tell you that the member for Windsor-Riverside has represented —

Mr David S. Cooke (Windsor-Riverside): Don't blame me.

Hon Mr Snobelen: I'm sorry, my apologies to the member for Windsor-Riverside.

The member for Algoma has represented a great number of things as leaked documents, and this is typical. There's nothing on here that would indicate where this comes from or what it is. But I will tell you this: Once again, if anyone is considering scrapping collective agreements or overriding collective agreements, it must be on the template set by the member opposite's government, which did just that with the social contract, and now has the gall to stand in the House and ask me that question.

1440

Mr Wildman: I don't know why the minister became so nonplussed. The document I sent over is dated in early October and it's from the Ministry of Municipal Affairs and Housing. It's a briefing note providing for options on how to make it possible to take money out of the extended public sector by overriding contracts.

This minister has indicated that he wants to take at least an additional \$600 million, a total of over \$1 billion out of education in the province. The Crombie panel has said that school boards and municipalities will be operating physical plant. You want to slash and cut the education funding in the province. Apparently, this document gives you some ideas on how to do it.

The Premier has made his statement that there are going to be announcements this week, or coming before Christmas, on legislation. The question is, do you intend to extend the removal of successor rights to the broader public sector?

Hon Mr Snobelen: Let me say very clearly that whatever this is, it doesn't advise me of anything. This is someone else's document. It certainly hasn't been in my possession and it certainly wasn't created by my ministry. I quote, "I am looking forward in the coming weeks to making announcements that will improve the education system."

From the information or misinformation sheet sent around by the Ontario New Democratic Party, I quote this. It says, "The Crombie report has struck fear in the hearts of school board workers across the province." What strikes fear in the hearts of parents across the province is that your government, sir, was willing to have low standards of achievement for students in this province and this government is not. You, sir, were willing to send the children of this province a bill for their own education, and I can assure you, sir, as I have on previous occasions that this government, myself and my colleagues, will not do that.

The Speaker (Hon Chris Stockwell): I've got a point. Minister of Education, you can't claim a party is disseminating misinformation. You must withdraw that comment.

Hon Mr Snobelen: I'm sorry, Mr Speaker. I do withdraw that.

ONTARIO WORKS

Mr Ed Doyle (Wentworth East): My question is for the Minister of Community and Social Services. There's

been a great deal of media attention of course and questions about the program called Ontario Works. I wonder if the minister can give us an update on the status of Ontario Works and indeed what happened last night in my own area of Hamilton-Wentworth?

Hon Janet Ecker (Minister of Community and Social Services): I'd like to thank my colleague from Wentworth East for the question. Yes, I'm very pleased that last night Hamilton-Wentworth decided to join our expanding group of communities that are participating in Ontario Works, our work for welfare program. That's certainly good news for their taxpayers. It's certainly good news for those people in their community who are trapped on welfare.

This brings the total number of communities to 14 now that are moving ahead with our workfare plan. We had Northumberland county and Huron county join recently, as well as Waterloo and Halton. I look forward to more communities as they get into their workfare plans.

Mr Doyle: I wonder if you could tell us the kind of activities participants are engaged in in these programs in the 14 approved sites.

Hon Mrs Ecker: We've been very pleased and very impressed with the quality of the programs the municipalities are putting forward. Not only do we have individuals who are participating in employment support activities, learning job clubs, job résumé and job skills and things that they need as well, but they are also providing many opportunities for those on welfare to contribute to the community.

We have those employed working as a marketing assistant with a historical site, as community placements, as library assistants, learning how to be computer tutors in libraries, tour guides, research assistants, peer support group and resource centres, maintenance and house-keeping for a local church, working with a community service club to get a clothing depot up and running. The list goes on. We're very impressed and very pleased with the opportunities they are providing.

HOSPITAL RESTRUCTURING

Mr Sean G. Conway (Renfrew North): My question is to the Premier. Before and during the recent election campaign you promised, often and solemnly, that if elected Premier you would not cut health care funding and you would not cut hospital funding. In fact you said, often and solemnly, "Not a penny will I take out of the health care budget."

Against the backdrop of those promises you made, what do you say to the people of Pembroke today who have been told in the last 24 hours by your commission that in the next 12 months they are to lose 40% of their hospital budget in the city of Pembroke, representing a net loss on an annual basis of \$14 million in that community, representing 300 lost jobs in the health care community?

Hon Michael D. Harris (Premier): What I will say to them is this: I committed over a year before the election, during the election, yesterday, today, tomorrow, and going into the next election that not one cent will be cut out of health care in the province of Ontario. Second, I want to assure them that we have appointed a commis-

sion that has made a recommendation consistent with what their own district health council made as to how we can provide better health care services to the people of Pembroke, Renfrew county and indeed the province of Ontario.

We would still welcome more advice from the honourable member, from the people of Pembroke. The government will confer as well on Dr Sinclair's report. Then we will make a decision on how by reinvesting the savings, so there's not one cent of reduction, we can provide better health care to the people of Pembroke.

Mr Conway: You said in the leaders debate in the last campaign, "It is not my plan to close hospitals." You said elsewhere, "Not a penny will I take out of the health budgets."

In Pembroke yesterday you didn't take a penny; you plan to take on an annual net basis \$14 million out of the city of Pembroke hospital budget. You are going to send 300 health care workers to the unemployment rolls, and your brutal surgery to the Pembroke hospital sector is going to put enormous pressure on the non-hospital sector to meet the patient needs in and around the city of Pembroke.

Premier, is it not obscene that you should ask the patients of Pembroke, the people of Pembroke and the health care workers of Pembroke to contribute on an annual basis \$14 million so that you and Ernie Eves can make your voodoo economics, your crazy tax scheme add up, which we know it can't and won't?

Hon Mr Harris: The only thing that I would say is obscene when it comes to health care is the Liberal Party of Canada, through Paul Martin, slashing health care spending by over \$2 billion to the province of Ontario. However, in spite of the fact that 98 Liberals in Ontario supported the Liberals taking \$2 billion out of health care in Ontario, the kindly old soul to my right has cut not one cent out of the health care budget. He has found not only the \$2 billion; he found another \$300 million. Thank goodness, I say to the people of Ontario, for the Minister of Finance, the member for Parry Sound.

1450

The Speaker (Hon Chris Stockwell): New question.

Mr David S. Cooke (Windsor-Riverside): I also have a question to the Premier. You have referred this afternoon and in the previous question to the need for reinvestment. I'm assuming you're talking about reinvestment of the savings in capital and community supports.

This morning your Minister of Health was in Thunder Bay and he announced your capital expenditures as part of the restructuring of the health care system in Thunder Bay. Mr Sinclair has the responsibility of re-engineering the hospital system. He can only make recommendations on community supports and capital. Why did your minister make no commitment, and why has he still made no commitment, on community supports in Thunder Bay?

Hon Mr Harris: The minister was, or I guess still is, in Thunder Bay today announcing a significant capital reinvestment program. He will be announcing a program for the entire province before Christmas, but for Thunder Bay, 70% of the capital costs for redevelopment will be provided by the kindly old soul to my right to make sure that restructuring can take place.

As the member has indicated, that's not nearly enough. In addition to the backgrounder to the announcement that was made today, there are significant other community supports that need to be provided. There's a whole host of programs reinvesting in Thunder Bay and area because it is a regional hospital. There are a number of those reinvestments that have already been made and new ones that are coming: the regional cancer centre; lifesaving defibrillators; \$150,000 to the northern Ontario health sciences network; \$308,000 to expand supportive housing; \$820,000 for dialysis.

I think there will be a supplementary, at which time I will attempt to complete the more lengthy list of reinvestments being made in Thunder Bay and northwestern Ontario.

Mr Cooke: I think the people in Thunder Bay and in other communities that are having their hospitals restructured are looking not to the kind of rhetoric that you just answered with but to specifics about community support programs that are absolutely essential if the restructuring of our health care system has any chance of working.

Can the Premier confirm that the reason there was no announcement this morning on community supports in Thunder Bay is because your government is going to offload things like long-term care to the municipalities? Does he not understand that Mr Sinclair, in whom you have a lot of faith — and quite frankly, so do we — said that if that happens, "It's 180 degrees out of phase with the philosophy; ours is an integrating philosophy; this is a disintegrating philosophy," referring to any plan to offload long-term care and other community support programs to the municipalities? Can the Premier assure the people of Thunder Bay that he will not be doing that, which, if he does, will destroy the restructuring of health care?

Hon Mr Harris: You're quoting from a "what if" scenario in a report and a comment that was made in reaction to misinformation that was printed in the Toronto Star, totally inaccurate.

GROW ONTARIO

Mrs Barbara Fisher (Bruce): My question is for the Minister of Agriculture, Food and Rural Affairs. As part of this government's commitment to rural Ontario and to the agrifood industry, all members of the House remember that the Minister of Finance in his May budget announced the new \$15-million Grow Ontario program. In my riding alone I know of two applications to such a program, one by the Market Grey-Bruce Committee and one by the Bruce Economic Development Corp. Can the Minister of Agriculture, Food and Rural Affairs advise the House on how the industry has benefited from this program to date?

Hon Noble Villeneuve (Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs): I thank my colleague from Bruce for that question. The Grow Ontario program has been very well accepted by food producers and food processors of Ontario. It will help make them more competitive on the world stage, do more research and development.

We have announced \$237,000 in support from the Grow Ontario program to launch the Ontario Soybean

Growers' Marketing Board plan to double Ontario's soy exports from the current \$140 million a year to \$280 million a year in the next five years; developed Grow Ontario funds for a new fish product, \$250,000 from the Grow Ontario program in a joint project, fish product innovation in Kingsville in southwestern Ontario, Pelee Treasures, Kingsville; asparagus growers; Grow Ontario to assist promotion of tobacco exports, \$250,000, very well received by the food producers of Ontario, the Ontario Federation of Agriculture. It is good news.

Mrs Fisher: Could the minister tell the members of the House how many projects he could expect to be approved under this program and how the members of this House could actually participate in it?

Hon Mr Villeneuve: The good thing about the Grow Ontario program is that it matches funds from the province of Ontario. It is not, "The cheque is in the mail." It is a very good partnership with producers and processors. In the first wave, on September 1, we had over 50 applications. In the second wave, at the end of November, we had 77 applications, and the time is still open until January 1 for anyone to apply to the Grow Ontario program: \$15 million to match the private sector. It is good news.

LIQUOR CONTROL BOARD OF ONTARIO

Mr James J. Bradley (St Catharines): I have a question for the Minister of Consumer and Commercial Relations. The last time I asked this, the most foolish answer I've heard came from the previous minister: that the private sector would be more secure in not providing liquor to minors than the public sector; in other words, the LCBO.

The LCBO provides a safe, secure and controlled way of retailing alcoholic beverages. It provides the best method of restricting the sale of liquor to minors in Ontario, has an excellent program of quality control of the product sold in its stores, provides a wide selection of product to its customers in modern, convenient stores, has moved forward with the times and is sensitive to the needs of its customers and clients.

Why would you and your government ever consider letting go a safe, secure, successful operation and turning it over to the risky operation of those who, understandably so, only wish to make a profit from the sale of liquor in this province?

Hon David H. Tsubouchi (Minister of Consumer and Commercial Relations): Clearly the member across the floor hasn't paid much attention to the previous discussions. We have said, and we've been very consistent through the Common Sense Revolution and throughout our term of government, that we are committed to looking at the modernization of the LCBO. We laid out very clearly the several factors we would look at. One of them certainly was the priority we had on issues of control in public safety. These are some of the issues we are looking at. Our commitment is to make sure that this is going to be a good deal whatever way we go in terms of modernization for the consumer and for the taxpayer, and certainly we do have a keen interest in public safety.

1500

Mr Bradley: The last time Norm Sterling, the Minister of Consumer and Commercial Relations in years gone by, was in —

The Speaker (Hon Chris Stockwell): It's the Minister of Environment and Energy, and it's not a member's name you use. Thank you.

Mr Bradley: I remember this person I mention used to be the Minister of Consumer and Commercial Relations, and when he was in Alberta he was extolling the virtues of privatization. Yet those who are involved in the grape and wine industry in the Niagara Peninsula and in other parts of this province are very concerned that if you turn liquor sales in this province along with wine over to the private sector, away from the LCBO, we lose the one tool we have, the best tool we have, to assist our farmers and to assist our wine makers in having a successful industry.

Will you assure the House today that you will not turn the LCBO and the operations of the LCBO over to the private sector, to your Tory friends who are lining up to take advantage of selling liquor and other kinds of booze to the people of this province?

Hon Mr Tsubouchi: I certainly don't agree with the assumptions the honourable member is making over there, but clearly the government recognizes the very special role that the Ontario wine industry and the grape growers play in this province as an industry. Certainly we're very supportive of them.

I may remind the member at this point in time, if we reference our comments to the Common Sense Revolution again and our consistency throughout our term in government, that point number 4 — the last time I talked about point number 5 — says that we acknowledge the special role of the Ontario wine industry. These are the factors we look at in terms of modernization. We recognize the special role the grape growers play. We are certainly supportive of the industry, and we have been consistent.

NATIVE CHILDREN'S SERVICES

Mr Bud Wildman (Algoma): I have a question for the Minister of Community and Social Services. The minister will be familiar with native child and family services agencies such as Weecguttewin in the Fort Frances area and Tikinaugen in the far north that serve first nations communities in those areas and that are experiencing significant deficits. She will also be aware of a number of other native child and family services agencies that have been developing but have not yet been designated.

Could the minister indicate when she intends, on behalf of the provincial government, recognizing that a good portion of these moneys are recoverable from the federal government, to deal with the deficits of the established agencies and to designate and provide ongoing funding to the developing agencies?

Hon Janet Ecker (Minister of Community and Social Services): Thank you very much for the question. We've been working very closely with the native group because we want to make sure that if we are to make any change in responsibility and if they are to assume more

responsibility for child welfare in their community, we have the supports and the arrangements in place to ensure that quality services and child protection services will be delivered in the best way possible.

Hon Mr Wildman: I appreciate that, but I don't think, with respect, the minister has really answered the question. Perhaps I could be more specific. The minister will be familiar with Gzaa-Gaah-Naa-Nig, which is an agency that is developing in the Parry Sound-North Bay area, serving a number of first nations in that area. She will know that her ministry announced in July to the agency that their funding was being cut, gave them four days' notice and told them they had \$80,000 with which to operate for the rest of the year, \$80,000 to cover staff, rent, overhead and all of the operations. There have been discussions with that agency.

Could the minister explain when this matter will be resolved? Will she meet with the agency, and will she in fact provide them with the moneys they require in order to carry out their services, which are so important for the protection of children and assistance to families in the native community?

Hon Mrs Ecker: As the honourable member knows, we have about \$120 million that we are expending on aboriginal services and to support the services in their community, and there's no question that last year, to respond to the serious financial pressures we were under, many agencies had an across-the-board cut. No one was happy about that, no one wishes to repeat that, which is one reason why the restructuring exercises that this government has under way are so important in making sure that we can try to protect priority services.

I wish I had the faith in being able to rely on moneys from Ottawa. We have tried to do that in the past, and sometimes it is not as dependable for our groups out there as we would like it to be. We want to make sure before we make any change that there is funding in place and that, secondly, child protections and safety protections are there.

My staff have met with them before. If we need to have another meeting to resolve this issue, either I or my staff would be more than pleased to do so to try to resolve this matter.

INVESTMENT IN ONTARIO

Mr Dan Newman (Scarborough Centre): My question is to the honourable Minister of Economic Development, Trade and Tourism. Recently, I met with one of my constituents, Mr Derek Rosario. Mr Rosario is production manager with BCB Technology Group Inc, who are makers of PC DART digital recording and transcription systems. Mr Rosario's company is contemplating investment in the near future and is undecided as to whether it should invest in Ontario or in another jurisdiction. My question to the minister is, why should this company invest in Ontario today?

Hon William Saunderson (Minister of Economic Development, Trade and Tourism): I would like to respond to the question from the member for Scarborough Centre. There are four points I would like to suggest that he give to his prospective investor. First of all, Ontario is

the high-tech province of this country, it really is. The second thing is that because of the statement that the Premier made today and all that that contained, Ontario obviously is the most business-friendly province in this country. Also, because of the speech that the Premier gave as well, there is an improved access to capital in this province. Finally, I'd like to say that because of lower payroll taxes and the reduced personal income tax rates in this province, I think this is the province for your company to expand in.

Mr Newman: Would the minister kindly outline for the members, who may be contacted by potential investors, what the Market Ontario initiative is and what we should tell our potential investors?

Hon Mr Saunderson: Further to the supplementary question, I'd like to say this about Market Ontario: Market Ontario is designed to convince businesses and investors to come to Ontario and invest here. We hope that because of Market Ontario, we will obtain a 2% increase in our share of international investment, and that would produce 240,000 new jobs in this province, which will of course be a great help to the employment record of this province.

It was going to cost us \$17.8 million a year, which will be money well spent because of the jobs that will be created. We will be selling the province on its many merits regarding its business climate. Also, we'll be selling it based on our quality of life in this province.

We're bullish in Ontario — we want to get that message across — and we want business everywhere to know this. We want to say that we are open for business.

ASSISTANCE TO NORTHERN ONTARIO

Mr Rick Bartolucci (Sudbury): My question is to the Minister of Municipal Affairs and Housing. Minister, a very significant partnership has formed in Sudbury between the Sudbury and District Chamber of Commerce and the Sudbury and District Labour Council. This new partnership is called the Partnership for Community Prosperity. It's chaired by businessman Gerry Loughheed Jr.

The mission of this partnership is to support and enhance the social and economic life of not only the Sudbury region but also of northern Ontario. Their immediate concern is the issue of the northern support grant, or what this group would like to be referred to as the northern resource revenue payment. There have been conflicting messages with regard to this particular payment. Minister, will you categorically deny today that that payment will be reduced or eliminated?

Hon Al Leach (Minister of Municipal Affairs and Housing): I can advise the member for Sudbury that the municipal support grants are being developed and being formulated as we speak. I expect to inform the municipalities within a matter of days as to what grants will be available to them this year. I can assure the member for Sudbury that northern Ontario will be treated in a very fair and equitable manner.

1510

Mr Bartolucci: In all honesty, we've heard that song before. We got stung last year, and we cannot afford

another decrease. You know that the north has a lower economic assessment base and you know that any reduction has severe impacts on the communities of northern Ontario. We have a ministry that's assigned to protect the north, to speak for the north, to set policies for the north. The Partnership for Community Prosperity is advising your ministry that the Ministry of Northern Development and Mines should be responsible for the grants, rather than your ministry. Will you allow the Ministry of Northern Development and Mines to operate the grant as opposed to your ministry?

Hon Mr Leach: I'm pleased to see the member recognize the member responsible for northern affairs. He's in the north right now assuring the people of northern Ontario that they will be well represented when the grants are distributed this year.

The issue the member speaks about, having the ministry of northern affairs responsible for the northern grants, is something we have under active discussion. I'm sure that when my colleague gets back from northern Ontario, I'll take it up and discuss it with him.

MINISTRY OF TRANSPORTATION CONTRACT

Mr Gilles Bisson (Cochrane South): My question is to the Chair of Management Board. You would remember that a couple of weeks ago we had an exchange in the House in regard to the government's plans to privatize MTO road maintenance in the province. At that time, you indicated that the government would not be going forward, or at the very least would stop and look over the situation, if you were not able to prove that you could save at least 5% by going over to the private sector.

As it turns out, in the contract you gave in Chatham-Kent, the IMOS contracts, the saving turns out to be some 2.8%. If your policy is that you won't go forward unless you get a 5% saving, why did you go ahead with a contract where you only save some 2%?

Hon David Johnson (Chair of the Management Board of Cabinet and Government House Leader): What I said to the member opposite and I'll say again today is that the initial pilot project, which was in the Chatham area, was a learning process for us. This was an opportunity for us to deal with the private sector on a broader basis, although a good number of the services are already pursued through the private sector, but the level is being raised.

That particular experience has taught us a great deal. Yes, the savings were in the order of 2.8% or 3%. Our view is that we should do better than that in the future, that the savings should be greater. The benchmark we set for future contracts, having learned from the Chatham contract, was that future contracts should have savings of 5%, and if they didn't, we would not automatically go forward with them; they would have to be re-evaluated.

PETITIONS

NORTH YORK BRANSON HOSPITAL

Mr Monte Kwinter (Wilson Heights): I have a petition to the Legislative Assembly of Ontario.

"Whereas the final report of the Metropolitan Toronto District Health Council hospital restructuring committee has recommended that North York Branson Hospital merge with York-Finch hospital; and

"Whereas this recommendation will remove emergency and inpatient services currently provided by North York Branson Hospital, which will seriously jeopardize medical care and the quality of health for the growing population which the hospital serves, many being elderly people who in numerous cases require treatment for life-threatening medical conditions;

"We petition the Legislative Assembly of Ontario to reject the recommendation contained within the final report of the Metropolitan Toronto District Health Council hospital restructuring committee as it pertains to North York Branson Hospital, so that it retains, at minimum, emergency and inpatient services."

I've affixed my signature.

HIGHWAY SAFETY

Mr Bud Wildman (Algoma): I have a petition signed by a number of residents of St Joseph Island. It is requesting that there be an installation of a flashing red light and a caution light at the intersection of Highway 548 and the Second Line Road on St Joseph Island. Also, they are requesting that street lighting be installed at this same location for safety reasons. I support the petition.

MUNICIPAL RESTRUCTURING

Mr John L. Parker (York East): I have a petition here bearing 56 signatures, including that of my good friend Willis Blair. It reads simply:

"We want East York to continue as is."

It is not technically in the form that's appropriate for submission to this Legislature but I wanted to do my friends the courtesy of reading it out at this time.

FIRE SAFETY

Mr Rick Bartolucci (Sudbury): This petition is in response to Bill 84, and it's to the Legislative Assembly of Ontario.

"Whereas the firefighters of Sudbury and Ontario are very concerned about Bill 84;

"Whereas we feel Bill 84 is unfair;

"Whereas we feel Bill 84 is discriminatory;

"Whereas we feel Bill 84 endangers the wellbeing of the people of Ontario;

"Whereas we feel Bill 84 requires extensive changes;

"Whereas we feel Bill 84 needs broad provincial public hearings before implementation;

"We, the undersigned, therefore petition the Legislative Assembly of Ontario to demand the Solicitor General to rewrite Bill 84 before being enacted into law and only after extensive public hearings across Ontario."

Because I agree with this, I affix my name to it.

TVONTARIO

Mr Len Wood (Cochrane North): I have a petition here signed by over 500 individuals and organizations across northern Ontario which reads as follows:

"We, the undersigned, strongly protest any plans to privatize TVOntario. The privatization of TVOntario would jeopardize Wawatay radio network's native language programming and Wahsa distance education services because both depend on TVO's distribution system."

I affix my signature to the petition as well. I agree with it.

WATER AND SEWAGE CHARGES

Mr Bill Grimmer (Muskoka-Georgian Bay): I have a petition here signed by approximately 175 of my constituents. This petition relates to an objection to the increase in local water and sewer charges in the village of Port McNicoll. I file it today.

STUDENTS WITH SPECIAL NEEDS

Mr John C. Cleary (Cornwall): Ms Alda Graham of Community Living has organized a petition that reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the Minister of Education has stated numerous times that integration of children with special needs is the norm in Ontario, inclusion is not;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario to change the Education Act to state that inclusive education will be the norm and that the proposed amendments to regulation 305 be passed."

This petition has been signed by 369 residents of my riding and of S-D-G & East Grenville.

FAMILY SUPPORT PLAN

Ms Shelley Martel (Sudbury East): I have a petition addressed to the Legislative Assembly which reads as follows:

"Whereas Mike Harris and Charles Harnick promised to improve the family support program; and

"Whereas Mike Harris promised in the Common Sense Revolution that 'government should concentrate its efforts on tracking down deadbeat parents and enforcing payment orders'; and

"Whereas the closure of the family support plan's regional offices have caused a decrease of quality services and lengthened delays; and

"Whereas cuts to the family support plan have eliminated community-based services, replaced enforcement staff with technology and limited communication;

"We, the undersigned, demand that Mike Harris reopen the regional offices and guarantee adequate staffing numbers to provide quality services to recipients and children."

This is signed by 22 people who live in Belleville. I agree with the petitioners and I have signed it as well.

WORKERS' COMPENSATION

Mr Tony Clement (Brampton South): A petition to the Legislative Assembly of Ontario:

"Whereas Mike Harris is considering massive changes to workers' compensation that would drastically reduce benefits and coverage to past, present and future workers;

"Whereas the proposals put forward in the government's discussion paper on workers' compensation released in January 1996 will place severe economic hardship on injured workers and their families (it will do this despite the government's commitment not to reduce benefits and services for disabled people);

"Whereas the discussion paper has not been widely distributed and most people are not aware of the impending changes that would dramatically affect their lives;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We reject the current proposals and demand that full-scale public hearings be conducted into the workers' compensation system before any legislative changes are proposed or tabled."

I for one am looking forward to public hearings on this issue.

1520

HOSPITAL RESTRUCTURING

Mr David Ramsay (Timiskaming): I have a petition here.

"Whereas many of the area residents are very dependent on the services of the specialists in Sudbury hospitals; and

"Whereas the northern Ontario travel grant is paid for obtaining their services in Sudbury,

"Therefore, be it resolved that the Ministry of Health reassess the closure of two hospitals in Sudbury and follow the recommendation of the health council to close only one hospital in the next three years."

I affix my signature to this.

MUNICIPAL RESTRUCTURING

Mr Tony Silipo (Dovercourt): I have a petition signed by over 130 citizens of Toronto and I have affixed my signature to it as I agree with it. It reads as follows:

"Whereas the provincial government has not given the citizens of the Toronto area any opportunity to speak on the issue of amalgamating the six municipalities within Toronto to create a megacity of 2.3 million;

"Whereas studies reveal that amalgamation does not save taxpayers' money;

"Whereas Toronto was recently cited as the world's best city in which to live and work,

"Therefore, be it resolved that the provincial government undertake a public consultation process before proceeding unilaterally with the amalgamation."

RENT REGULATION

Mr Mario Sergio (Yorkview): I have yet another petition with respect to the removal of rent control and I wish to read it to the Legislature.

"Whereas the government of Ontario has announced its intention to remove rent control from apartments that become vacant so that landlords can charge whatever rent they want; and

"Whereas the government's proposed law will eliminate rent control on new buildings, and allow landlords to pass on repair bills and other costs to tenants; and

"Whereas the government's proposal will make it easier for landlords to demolish buildings and easier to convert apartments to condominiums; and

"Whereas due to the zero vacancy rate in Metro Toronto the removal of rent control will cause extreme hardships for seniors and tenants on fixed incomes and others who cannot afford homes;

"We, the undersigned, petition the Legislative Assembly of Ontario to keep the existing system of rent control."

I do concur and I will affix my signature to it.

Mr Alvin Curling (Scarborough North): I have a petition. They're coming in by the thousands from people all over Ontario. It reads:

"To Premier Mike Harris and the Minister of Municipal Affairs and Housing Al Leach and members of the Ontario provincial Legislature.

"We, the undersigned, protest this government's actions against tenants described below.

"The Rent Control Act protects Ontario's 3.3 million tenants. Rent control allows for security and stability in their homes and communities. Uncontrolled rent increases leave tenants, their families and Ontario communities open to eviction, personal distress, and contribute directly to social instability. We want this government to stop any action that would allow uncontrolled rents.

"Further, this government is considering changes to the Landlord and Tenant Act favourable to landlords for easier and faster evictions. This is unacceptable to Ontario tenants and damaging to Ontario's communities.

"This government also plans to get rid of public housing and has halted the creation of basement apartments and a new supply of affordable non-profit housing. These types of housing are necessary for low- and moderate-income tenants to obtain accommodation they can afford. The government must cease all actions that reduce the affordability and availability of these kinds of housing.

"This government has eliminated funding for United Tenants of Ontario, five municipal tenant federations and other important tenant services at a time when they're attacking all tenant rights. Funding for these groups must be reinstated so that Ontario's tenants and not just their landlords are able to bring their views to bear in government deliberations on tenants' rights and protection. A consultation process with tenants' organizations should be initiated immediately to develop a plan for sustainable funding for services to tenants."

I support this petition and affix my signature.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Mr Silipo from the standing committee on government agencies, on behalf of Mr Laughren, presented the committee's 27th report.

The Deputy Speaker (Mr Gilles E. Morin): Pursuant to standing order 106(g)(11), the report is deemed to be adopted by the House.

STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Mr Barrett from the standing committee on regulations and private bills presented the following report and moved its adoption:

Your committee begs to report the following bill as amended:

Bill Pr35, An Act respecting the Ottawa Civic Hospital.

Your committee begs to report the following bill without amendment:

Bill Pr40, An Act respecting the Association of Architectural Technologists of Ontario.

The Deputy Speaker (Mr Gilles E. Morin): Shall the report be received and adopted? Agreed.

INTRODUCTION OF BILLS

CITY OF OTTAWA ACT, 1996

Mr Grandmaître moved first reading of the following bill:

Bill Pr73, An Act respecting the City of Ottawa.

The Deputy Speaker (Mr Gilles E. Morin): Is it the pleasure of the House that the motion carry? Carried.

ORDERS OF THE DAY

BETTER LOCAL GOVERNMENT ACT, 1996

LOI DE 1996 SUR L'AMÉLIORATION DES ADMINISTRATIONS LOCALES

Resuming the adjourned debate on the motion for second reading of Bill 86, An Act to provide for better local government by updating and streamlining the Municipal Elections Act, the Municipal Act and related statutes / Projet de loi 86, Loi prévoyant l'amélioration des administrations locales en modernisant et simplifiant la Loi sur les élections municipales, la Loi sur les municipalités et d'autres lois connexes.

The Deputy Speaker (Mr Gilles E. Morin): Mr Patten had the floor.

Mr Alvin Curling (Scarborough North): I don't think he'll use the time.

The Deputy Speaker: Further debate?

Mr Bud Wildman (Algoma): I'm pleased to participate in this debate and recognize that there has been an effort made by the government to respond to the concerns my colleagues have raised in this discussion as we've debated Bill 86.

I think most who have read the bill have understood that there are a lot of good moves in terms of changing the way municipal elections are conducted; some innovative approaches to determining how people can exercise their right to vote, dealing with new technologies, making it possible for people to vote in elections in municipalities where they own property that in the past might have been difficult for them to do.

There are a couple of things that have raised some concerns. It has been suggested by our critic, the member

for Fort York, that while we might understand the purpose in requiring a deposit for municipal candidates — I recently saw a report on television which indicated that in the Vancouver city election for mayor there were some 50 candidates registered, one of whom was a clown. Of course, I suppose those of us in this business might find that people in the public sometimes call all of us clowns. There is some suggestion that perhaps we should have serious candidates and maybe one of the ways of doing that is to require a deposit. The question is how large a deposit.

Mr Ernie Hardeman (Oxford): Not too big.

Mr Wildman: The parliamentary assistant says "not too big." The problem with the bill is that it simply says it will be set by regulation. Essentially that means giving the Lieutenant Governor in Council, the cabinet, the discretion to set the level. It's easier to change a regulation, all of us know, than it is to change legislation.

I think members of the government party will understand that in a Parliament — which is exactly that — which is set up to ensure that the representatives of the people can speak and can exercise their responsibilities to represent their constituents by speaking in debate, it can indeed take a while to get legislation through. When the government has an enormous agenda, sometimes it's not as easy to get things passed as it might appear in the first place, even if the government has a large majority, because there are provisions made to ensure that there is proper debate. That's what makes our system stronger than most other systems of government in the world.

Oftentimes governments are tempted to put in legislation provisions that make it possible for the cabinet to set or make decisions by regulation, which of course then don't have to come before the Legislature. Eventually they have to go before a committee, I suppose, but essentially they are passed through by cabinet and there isn't full-fledged debate. It makes it easier.

So we are concerned about the possibility of a regulation being set that could in fact not be just not too big, as the parliamentary assistant has indicated.

1530

One of the reasons that this bill might have been more difficult for the opposition and for some members of the public was that there was provision in section 79 to give the minister the power to intervene in community transportation by signing agreements with service providers. Now, this is something that has been discussed by the previous government as well as this government with interested parties, but the people who work in the transit systems in this province were particularly concerned about the provision of section 79.

The community transportation action plan foresaw legislation that would allow municipalities, school boards, hospital boards etc to work together to provide transportation solutions, to integrate transportation, to avoid duplication and save money.

However, the Amalgamated Transit Union, which was involved in those discussions, was concerned about the wording of this section and had indicated that it thought there should be some changes. They had suggested a number of possible amendments. Until we understood whether or not those amendments might pass or be

accepted by the government or similar amendments introduced by the government or some action taken on section 79, we felt that we would have to debate this to the full length of the rules.

The Amalgamated Transit Union, I understand, did provide some suggestions, as I indicated, for amendments. They suggested perhaps we could amend subsection 79(6) of the bill to delete subsection (4) of the act and rename subsection (5) of the act; in other words, delete subsection (4). They also suggested another way might be to amend subsection 79(6) to insert the policy that the minister can only sign an agreement with service providers upon recommendation of the organizations within the area that purchase transportation services.

You see, what the transit union was concerned about was that the bill, as written, allows the minister, the Minister of Transportation in this case, to choose with whom the ministry would sign an agreement, and this could be done unilaterally. It could be done without the agreement of the service providers, all of whom have been involved in this process of trying to work out how we can avoid duplication. This might then make it possible for an agreement to be signed which would in fact abrogate the rights of the workers who are employed in transit.

I understand that the government has indicated that it is prepared, and I hope the parliamentary assistant can reconfirm this, if I have his attention —

Interjections.

Mr Wildman: I'm not sure how to get his attention. I hope the parliamentary assistant can reconfirm that in fact the ministry intends to withdraw section 79 from this bill and to have further discussions with the Amalgamated Transit Union over the winter to determine how the provision can be made in another piece of legislation to ensure that agreements can be made to allow municipalities, school boards, hospital boards and other agencies to work together to provide for transportation in the community which would avoid duplication and save money and yet protect the rights of the Amalgamated Transit Union workers, their members, and ensure that they will be part of the decision-making and will be involved in any agreements.

Is it correct that the ministry intends to withdraw section 79? The parliamentary assistant could simply nod if that's the case.

Mr Hardeman: I'm not quite in agreement with your total statement.

The Acting Speaker (Mr Alvin Curling): All I ask is to debate to the Chair.

Mr Wildman: No. I wouldn't debate with you, Mr Speaker, but I will direct my comments to you. All the parliamentary assistant has to do is confirm that the section will be withdrawn.

Hon David Johnson (Chair of the Management Board of Cabinet and Government House Leader): Yes, it will.

Mr Wildman: Good. The House leader has come to the aid of the parliamentary assistant. That is, in this case, showing that the government has been prepared to listen, and I appreciate that, because unfortunately in the past, even on bills like this, which in many parts deal with

housekeeping on how we operate municipal elections and so on, this government hasn't demonstrated a willingness to listen. So I appreciate very much that in this particular case in order to facilitate the debate and the passage of this legislation so that we can get it in place prior to January 1, the government has listened.

I understand that the government is concerned about passing the bill before the end of the session because candidates can begin to register for the municipal elections next fall in January and can begin to raise funds. It'll help them run their election campaigns. So, there are a number of provisions in this bill that deal with municipal elections that the government felt should be in place.

I might raise two matters, though. Number one, I understand that the municipal clerks of Ontario have written to the minister and have said that the provision of this bill that allows them to reject candidates for municipal office is not a power that they wish to have. They do not want to have the responsibility for saying, "This person should not be able to stand for office." If that is the case, if the municipal clerks have expressed that view to the minister, why is it that the government continues to have this as part of the bill? Can we have assurance from the parliamentary assistant that this bill will not give the power to the clerks to reject candidates, because they don't want that power.

The other question is a larger one, and I know, Mr Speaker, you will indulge me if I digress somewhat. The Premier made a statement in the House today about the Who Does What, to whom, for how long, for how much committee. He said that Mr Crombie and his colleagues will be giving their final report, I believe, Friday and that the government intends to bring in legislation before Christmas. Now, we know that legislation will not be passed before January 1.

Mr Doug Galt (Northumberland): We can try.

Mr Wildman: Yes, you can try, and I'm sure that the members of the opposition will do everything to assist you in that effort. But I really do doubt, with the serious efforts of all of us, that the bill, whatever bill is introduced by the government, will become law before January 1. The member for Northumberland was being facetious, I think, when he said that they could try to have it passed before January 1, because I think even he would agree that whatever legislation is introduced as a result of the who does what to whom for how long panel is going to require hearings. It's going to require consultation across the province because I suppose it will mean substantial changes to boundaries of municipalities and to the responsibilities of municipalities, and perhaps even the taxing powers of municipalities. I suspect it will mean major change.

1540

It is quite possible that we will have candidates registering in January for municipal elections next fall, which is the reason the government wants Bill 86 passed before the end of the calendar year. We will have these candidates registering to run in elections for municipalities that may not exist if the other legislation that the Premier is proposing finally does pass this House. You would have the very odd situation of candidates who have been registered and are raising funds, as per the

provisions of this legislation and the Municipal Act, running in elections for municipalities that may no longer exist by the time the municipal elections occur.

I'm just wondering how the parliamentary assistant can explain that conundrum. Will it be that if the other legislation is introduced and passed, say, by the summer — I don't know how long it might take, but let's say it's passed by June, if it is passed — that legislation might then retroactively say that candidates who had registered would be deregistered and would pay back whatever money they had raised for their campaigns? Or would it reregister them, if they wished, for election in other new municipalities, new municipal structures? I suppose, conceivably, that the new legislation, if it's brought forward, might just change the registration date.

I'm trying to be helpful here. It's quite possible, I suppose, that the bill, when it's introduced, as the Premier has said, before Christmas might say that the registration date is not going to be January 1 but June 30, which would make for a very short campaign and raising of funds. But we're going to have a very short time to restructure the municipalities, if it's a major restructuring that this government is talking about, if the government is going to be serious about consultation with the people of the province. I suppose that's a big "if," because we've seen the honourable Minister of Municipal Affairs and Housing and the honourable Premier both state in this House and elsewhere that they aren't really interested in hearing what the people of Metropolitan Toronto think about the possible restructuring of municipal government in this metropolitan area.

Even though this is a government that has said that it is in favour of referenda, that it believes in direct democracy and increasing the participation directly of citizens in the province on questions that are of importance to them, both the Premier and the Minister of Municipal Affairs and Housing have said that this is an inappropriate question for the citizens of Metropolitan Toronto. Somehow they think it's too complicated to be answered by a yes or no in a referendum.

It's passing strange, though, that the now Premier, when he was the leader of the third party running for election prior to June 1995, was able to answer a very similar question on a questionnaire with a simple yes or no and said that no, he was not in favour of eliminating lower-tier municipalities and giving their responsibilities to regional government. That was a yes or no question, and it got an answer from the now Premier. I don't understand why the Premier would be able to answer that question with a yes or no — an emphatic no — but doesn't want to give the same opportunity to the people who live and pay taxes and use the services in this municipality.

But we're here as an opposition, a responsible, constructive opposition, to assist the government to pass this piece of legislation prior to January 1 so that it can be in place for a municipal election that is scheduled for this coming fall in 1997. This will make it possible for candidates to register and to know the rules of election that will be changed by this legislation — that is, if they're not rejected by the clerk for some reason or other — even though there may not be a municipality in

place that they are campaigning for once this other legislation is passed.

It might be reasonable to expect the government to do it all at once and have a proper consultation so that everybody could be involved and express their views, not only about the so-called housekeeping changes and some of the important changes about voting and regulations around municipal elections that are in this bill, but whatever the government is planning to do when Mr Crombie reports from his who does what to whom for how long panel.

Ms Frances Lankin (Beaches-Woodbine): And at what cost.

Mr Wildman: And at what cost, yes.

Perhaps the parliamentary assistant will be able to clarify this rather unusual situation for me. I just hope, with all due respect to the member, the honourable parliamentary assistant to the Minister of Municipal Affairs and Housing, that he will be able to clarify these questions more easily than he was able to answer the question I put to him about section 79, because the government House leader is not present and it required him to assist the parliamentary assistant to answer the question about section 79.

I know, Mr Speaker, it's not parliamentary to refer to the absence of a member, but you'll understand that I was bringing this up simply because I had to explain my concern about whether the parliamentary assistant would be able to answer the question in the absence of the government House leader. I hope he will.

Why isn't this being done in a systematic way that will ensure that we can have proper consultation so that the citizens of the municipalities across Ontario will be able to express their views on changes in the municipal structures in this province, the responsibilities of municipalities, the services that municipalities will provide and how we conduct municipal elections all at once? Why is it we have this bill now that must be passed before January 1 when we may see major changes in a piece of legislation that certainly will not be passed before January 1?

I would just conclude by saying that I'm very pleased that the government has listened to the concerns raised about section 79, that in order to deal with the concerns of the Amalgamated Transit Union the government is prepared to withdraw section 79 and to have further discussions with the members of the union so that we can have a proper planning for transportation that will involve the municipalities, the school boards, the hospital boards in a community, that will take into account the concerns of the workers involved in the provision of public transportation in a community.

1550

I'm very pleased that the government has done that. In agreeing to withdraw the section now, have further consultations to discuss how we can properly resolve the concerns and then move to legislation later on, it is going to make it possible for us to deal with this legislation now and have it passed as per the government's concerns and wishes prior to the end of the calendar year.

Would that the government were as forthcoming and willing to listen on all matters as they have been in this

case. I guess the Minister of Transportation, the Minister of Municipal Affairs and Housing and the government House leader have just been caught up in the Christmas spirit and have decided to be cooperative and to listen and to respond in a way that I think governments should act all year round, not just at the Yuletide season.

I hope that in passing this legislation, the government will take into consideration the concerns also of other groups — the municipal clerks on the mechanics of a number of the changes for municipal elections — so we don't have a situation where we are bestowing on those officials powers that they do not want, don't desire, don't think they are capable of exercising. We all know that municipal clerks are the chief electoral officers for the municipalities. If they are giving the government advice in this regard, that advice should be listened to and responded to. I hope you'll respond to those concerns in the same spirit in which you've responded to the concerns of the Amalgamated Transit Union workers.

I conclude by saying thank you to the government for listening on this bill, Bill 86, by removing section 79. We are pleased as an opposition party to facilitate the passage of this legislation, as the government desires, before the end of the calendar year so that it will be in place before the municipal election this fall.

The Acting Speaker: Questions and comments?

Mr Hardeman: Just very quickly, we'd like to thank the honourable member for his presentation on Bill 86 and his strong support for the bill as it will exist with the removal of section 79. In terms of the member speaking about section 79, I would point out that we are withdrawing it, but the total rendition that went with his presentation about why and how and what would happen to it beyond that point was not something I would quickly agree with.

On the issue of the clerk and the responsibility, I want to point out that in the present legislation it is the clerk who is responsible for approving and deciding whether a nomination form is the appropriate nomination form and whether it should or should not be rejected. With the change in the legislation, the reason the clerks have some concern is that we are combining the nomination and the registration form, and as opposed to the nomination coming in on nomination day or the week prior it will now be available to come forward any time during the year.

The clerks have some concern about the fact that they would have to make decisions in January whether a nomination form would be appropriate for the election in November; they have some concern about a sufficient amount of information being available. The suggestion of removing that from the legislation becomes very difficult because, as the member mentioned, the clerk is the chief returning officer. Who other than the chief returning officer should make such decisions? Again, it is not that we are not listening to the clerks, but the appropriate answer is I believe what is in the bill.

Mr Mario Sergio (Yorkview): I am pleased to congratulate the member for Algoma on his presentation on Bill 86. I think the member has brought to our attention and stressed some of the points included in that particular bill, especially the powers to the local muni-

palities. He has mentioned quite extensively the concern I think municipalities will have and the implications as they evolve from the approval of the bill.

One particular area I want to stress is that especially next year, with a possible federal election coming up and the confusion that could be created at the local level as well — as those who have municipal experience and are familiar with the municipal act know, if there is a by-election after March of an election year at the local level, there is no by-election. I should perhaps say that the local municipality has the option either of calling a by-election or not calling a by-election, but I'm quite positive that if it is after March of an election year there is no by-election. I think this would create quite a mess at the local level if this were to happen, and given what's going on with the possible federal election — it could be in the early spring, could be late spring, could be in the fall — this might well happen.

Why do we have these possibilities, this confusion? Because the government has not well thought out the content of this bill and has not given us directions. They are solely interested in pushing and ramming this bill through.

Mr Len Wood (Cochrane North): I just want to take a moment to comment on the excellent presentation the member for Algoma has made and also, at the same time, the excellent negotiations he has brought forward to make sure that section 79, which our caucus was very much upset with, is removed from the bill.

This is the type of negotiation that we've been hoping would have taken place over the last 16 or 17 months, and I am pleased to see that the member for Algoma was able to relay that in his message during the last 20 or 25 minutes.

It's a move in the right direction, and it shows that when there is cooperation, when amendments are suggested and brought forward, if there is cooperation and listening on the part of the parliamentary assistant and Management Board and the ministers — I know the Minister of Transportation had some discussions with our leader as well as other ones. As a result, it's legislation that is going to move forward, and it will help the government, which seems to be very much disorganized and unable to bring forward a lot of the legislation that they should have been planning during the summer to bring forward so they would have their agenda in order by December 12. We heard the Premier saying today that we're going to have to meet later on after December 12, that we're going to have to meet in January and February. I guess during the summer and earlier fall they were doing other things and couldn't get their legislative agenda organized, so as a result we're in the mess we're in right now.

1600

Mr James J. Bradley (St Catharines): This is an indication, this change of heart by the government, that we have been successful in persuading the government of the lack of advisability of including this provision in the legislation.

When this matter came to the House leaders' meeting, concern was expressed about certain provisions of the bill, and there was an indication given that the bill might

take a longer period of time. Subsequently, in the debate in this Legislature, members of the opposition have expressed the view that the provision dealing with transportation at the municipal level and intermunicipal transportation was one which caused great concern because of the way in which it could be used. The government has responded to the concerns expressed by the two opposition parties in this regard, so positive things, from time to time, happen in this House.

There are, however, many provisions of the bill that cause some angst out there in the municipal field, particularly when they're taken together with the attitude of the government in other areas.

I know the member is concerned about the general transfers of payments to municipalities, because municipalities are now forced into the position of having to cut essential services or to bring about an increase in the municipal property tax, a tax which is regressive in that it does not take into account an individual's ability to pay.

All the people who are apologists for this government on municipal councils will be shaking their heads and perhaps hiding as they see the further transfer cuts which will be made when the government announces its \$3 billion in cuts in a short period of time.

The Acting Speaker (Ms Marilyn Churley): Wrap up, the member for Algoma.

Mr Wildman: I understand that all can make mistakes. The government has recognized that they made a mistake and they've withdrawn section 79 from this bill. I'm just pleased about that.

I want to thank the members who commented, the member for Oxford, the parliamentary assistant, the member for Yorkview, the member for Cochrane North and the member for St Catharines.

I appreciate the answer from the member for Oxford about the municipal clerks and their concerns. I understand what he's saying, but it's still a problem, I think. He doesn't think so. We will see how it works, and I guess it'll all come out in the wash.

I appreciate the comments from the member for Yorkview and his concerns about the confusion that might occur with the election process, particularly as we see whatever comes out of what I've called the "who does what to whom for how long at what cost" panel.

The government has said that they intend to introduce legislation before Christmas, and it would seem to me that there may be major restructuring which will make a lot of this redundant perhaps.

The member for Cochrane North said that the government was listening in this particular case and we haven't seen too much of that, and I agree completely with him. I know he would agree with me that we would hope the government would listen with regard to municipal restructuring and would also listen to what the people have to say, not just MPPs, with regard to redistribution of provincial ridings. It's unfortunate that we would have a government that is just not willing to listen on these concerns and not willing to move. But in this particular case, the government has in fact listened, and as the member for St Catharines said, this is something we would like to see happen more often.

The Acting Speaker: The member's time has expired. Further debate?

Mr Leach has moved second reading of Bill 86. Is it the pleasure of the House that the motion carry?

All those in favour please say "aye."

Those opposed, please say "nay."

In my opinion the ayes have it. I declare the motion carried.

Shall the bill be ordered for third reading?

Interjection: The resources committee.

The Acting Speaker: The resources committee? Agreed? Agreed.

FEWER POLITICIANS ACT, 1996

LOI DE 1996

RÉDUISANT LE NOMBRE DE DÉPUTÉS

Resuming the adjourned debate on the motion for third reading of Bill 81, An Act to reduce the number of members of the Legislative Assembly by making the number and boundaries of provincial electoral districts identical to those of their federal counterparts and to make consequential amendments to statutes concerning electoral representation / *Projet de loi 81, Loi visant à réduire le nombre des députés à l'Assemblée législative en rendant identiques le nombre et les limites des circonscriptions électorales provinciales et fédérales et à apporter des modifications corrélatives à des lois concernant la représentation électorale.*

Mr Len Wood (Cochrane North): It's a pleasure to continue the debate on Bill 81, which is a bill that is going to completely change the face of northern Ontario, where you are having a 33% reduction in the number of provincial members of Parliament from northern Ontario.

I attended a number of the hearings. I attended the one meeting in Toronto, where we had presentations and public hearings. I attended the one in Dryden, where public presentations came forward, and the one in Timmins. Not only I but a number of presenters were completely shocked that some of the members on the committee were not prepared to listen and were not prepared to get involved in bringing back the message to the Premier and to their caucus that Bill 81 is flawed, it should be withdrawn and it should be changed so that democracy in Ontario still exists, especially in northern Ontario.

We were in Dryden and during the break at lunchtime the CBC news carried the story that at least one and possibly two of the Conservative members were saying that it's basically a waste of time to have these public hearings throughout northern Ontario because they were not going to make any changes to the legislation. The legislation is going to exist exactly the way Mike Harris had wanted it, which was to put a political spin on it and bring a transport out in front of the Legislature and pretend that he's whisking away 27 members of Parliament and the chairs with it.

It was a joke. Some of the Conservative members pretended that they might be listening, but they were not prepared to stand up in their caucus and say that the bill was flawed.

We know that the new federal boundaries are going to take effect on January 7 and, as a result of the new

federal boundaries, they're going to be reduced in northern Ontario from 11 to 10. The federal boundaries commission was flawed, as far as I was concerned, and most of the people in northern Ontario felt that it was very unfair for the Liberal government in Ottawa to take one member out of northern Ontario so that they could create four new ridings in southern Ontario. This is exactly what happened. The federal boundaries are not necessarily based on exact representation by population and the provincial boundaries will not be based on exact representation by population.

In Cochrane North, which exists right now, the riding runs from the outskirts of Iroquois Falls up the coast to Peawanuk, up the Hudson Bay coast. It's a huge riding that is there right now and it's going to be a lot larger as a result of the redistribution. In simple terms, so that those who are out there understand, what you have are three ridings in northeastern Ontario. One is represented by my good friend Gilles Bisson, the other one by myself, and a former NDP member who switched to the Liberals, David Ramsay, represents the other riding. After the next election, it will be a matter of myself and my good colleague from Cochrane South taking over the two ridings and making sure that they're well represented at Queen's Park.

As difficult as it may be to get around to these areas, I have never been arguing that redistribution shouldn't take place. All I am arguing is that no other ridings in southern Ontario or no other part of the province is being reduced by 33%, as northern Ontario is. We had presenters there from Smooth Rock Falls. Fred Poulin was the mayor of Smooth Rock Falls and he was representing 10 mayors and reeves in all of the communities from Hearst down to the outskirts of Timmins. He brought a strong presentation in, saying: "Look, what you're doing is very unfair. We depend on our MPP to get around and meet with us at least once a month, or more often than that. If he's going to do this with all the municipalities, with you enlarging the boundaries it's going to be very unfair for him, for his family and for any other person who might replace him."

We had the former mayor of Hearst, who was also a member of this Legislature for a little more than five years. He made a presentation on behalf of the chamber of commerce of Hearst, saying: "I was there. I know what the MPP has to do, and by enlarging the riding it's going to take a toll on that person's family." It doesn't matter if they're a Liberal, Conservative or NDP, you're making it that much more difficult for the person to get around and be physically in place.

1610

Mr Bud Wildman (Algoma): Who was that, René Fontaine?

Mr Len Wood: René Fontaine, yes.

Mr Wildman: He knows the north.

Mr Len Wood: He knows the north. He had a lumber business there for a number of years. As I said, he was representing the chamber of commerce. He drove for close to eight hours, returning his wife from Thunder Bay to Hearst because she's ill. He went to bed at 3 o'clock in the morning, got up at 5 o'clock in the morning. The roads were full of ice, slippery, and he made sure he was

in Timmins to make his presentation because he wanted his views heard. He was hoping that somebody was going to listen to him, but he left that particular meeting feeling the Conservative caucus members who were there were not listening.

The mayor of Timmins made a presentation. He's completely upset with the redistribution boundaries the way they are. We had the town councillor from Hearst, Donald Gratton, saying that he worked for a former MPP and he knows at first hand how difficult it is to cover a large riding of that kind.

As I said earlier, the federal boundaries commission, when it travelled through northern Ontario, took a number of years — it started under Brian Mulroney and the Conservatives and then the legislation got held up in the Senate and then the Liberals made a commitment that they were not going to hurt the north, they were not going to reduce the representation in northern Ontario. Yet lo and behold, they weren't in government very long when they folded in and decided, "Well, we'll take one member out of northern Ontario and we'll put it in southern Ontario," and for no apparent good reason that was done.

In any event, it was done. We feel that the federal boundaries that are coming into effect on January 7, especially in northern Ontario, are flawed, they weren't done properly and the provincial boundaries that are going to mirror those boundaries are flawed. We've asked that Bill 81 be withdrawn. No number of amendments that could be brought forward by our caucus would have made the changes that need to be made to make sure the legislation was going to be fair to not only northern Ontario but to all of Ontario. That's the position we've taken; we still take that position. Why bring in legislation that is so badly flawed and make sure that the constituents are further and further away from their member of Parliament?

We hear some of them saying, "Why don't they use the technology that is available?" You cannot use computers or fax machines on party lines, and a lot of my area is represented by Northern Telephone. They haven't invested capital into making sure there are private lines. Even if somebody has a business and is out in a rural area and wants to get a private line in the northern part of the riding, they're talking about big bucks. You're talking about more than \$60 a month for the monthly fee for the line.

That's not taking into consideration that there are so many long distance charges. It's not like southern Ontario, where you can phone halfway across southern Ontario with no long distance charges. In the north, every 15 or 20 miles you're talking about long distance charges. The new riding will be 760 kilometres from one end to the other. I'm just talking about the new Timmins-James Bay riding. That's a huge riding and there are a lot of long distance charges that people are going to have to pay. The cost is just not fair to be put on to these people who want to have personal contact with their local members of Parliament.

As I said earlier, there was no support for the legislation. I know the member for Algoma was in Sault Ste Marie. I don't know how much support there was there,

but there was no support in Dryden, there was no support in Timmins, there was not that much support in Toronto for it, yet Mike Harris is saying, "I made a promise. I made a promise that I was going to give a 30% tax cut to the wealthiest people, the 10% upper-income people in Ontario. I'm going to go out and give them a tax cut."

By reducing the members of Parliament, they get \$2.5 million or \$3 million dollars from northern Ontario. They can bring that down and spend that on extra staff, if they want to, in the Premier's office, but it's not going to help northern Ontario. It's going to mean that the Premier's going to have more power, he's going to have more dollars to spend on that and give a tax break to the wealthy.

Now we find out that they're going to have to go out over the next four years and borrow up to \$22 billion in order to give this tax cut to the 10% upper-income people. We're talking about people who are making more than \$75,000 a year. It's going to be borrowed — up to \$22 billion — in order to make sure of this. When the Conservatives took office, they had a debt of somewhere around \$80 billion or \$85 billion; now they're going to run it up way over \$100 billion. It will probably be up at \$130 billion or \$140 billion by the time the next election is called in three years.

I know my time is very short and other people want to speak on this bill, so thank you, Madam Speaker.

The Acting Speaker (Ms Marilyn Churley): Questions or comments? The member for Oxford — the member for Scarborough East.

Mr Steve Gilchrist (Scarborough East): That's better. Thank you.

I'm pleased to say a couple of words in response to the member for Cochrane North. First, I'm sure he was doing it innocently, but there was a tremendous mischaracterization of the interview that was reported on CBQ, and I would encourage him to get a transcript if he's in any doubt.

As the only Conservative member who was interviewed, and the subject of the interview to which he has alluded, I did not say there was no point to having the hearings. What I said was that our commitment to the principle of standardizing the boundaries, of honouring the promise of the Common Sense Revolution was not negotiable. We said it before, we said it during the hearings and I'm saying it here again today: We're going to keep our word.

What we needed to satisfy ourselves was that the process the federal non-partisan boundary commission went through was fair and equitable, and in fact had recognized, as their own report states, the different reality in northern Ontario.

Even today in your address, Member, there is no comment about problems in the south, the east, the west or here in Metro Toronto. Metro loses eight seats. I haven't heard one member — not one member — comment about the extra workload they will have. It's a different workload. Ours is not a problem of geography, it's sheer numbers. I talked to members in the north. I asked how many Ontario housing units they have. They have one seventh of the number in my riding. They'll still have a 40% smaller population than any member in Metro Toronto.

We had to satisfy ourselves that across the province those people who had made representations to the federal commission had in fact been listened to. We tried to reconcile their report with the submissions we heard in the south and in the north. I'm satisfied and my colleagues are satisfied that our only concern, that the federal commission had done its work honestly and properly, was in fact satisfied.

Mr Michael A. Brown (Algoma-Manitoulin): I'm always a little bit amused when the government stands up and says that this electoral commission of the federal government was fair and reasonable and everything was perfect. He might not be plugged in at all, but he will know that the House of Commons and the Senate thought about this for at least a year, about whether it was fair or reasonable or sensible.

I want to tell you that from the riding of Algoma-Manitoulin, we are at least pleased that the federal Parliament, the House of Commons, in a recent amendment, chose to adopt the suggestion of Brent St Denis, the MP for Algoma, and made the name of the federal riding Algoma-Manitoulin, which recognizes that two complete northern districts are in the new constituency: the entire district of Manitoulin and the entire district of Algoma. However, the members on the other side would also know that a significant portion of the district of Thunder Bay and a significant portion of the district of Sudbury are also included in the new riding.

The new riding will be approximately the size of Nova Scotia. It is the same as driving from Quebec City to Windsor. From Windsor to Quebec City is the distance on the roads of Algoma-Manitoulin. I'm telling you, this will be a significant challenge. The member who represents that constituency should be prepared to spend most of his life in an automobile. That is very unproductive work, to be driving from here to there, but it is the only way to do it.

The Liberal Party put forward an amendment in committee back in 1982 which suggested that 15 seats remain in the north. The government defeated it. They don't understand.

1620

Mr Wildman: I wanted to congratulate my friend from Cochrane North on his speech last night and this afternoon. I noticed he wasn't quite as exuberant this afternoon as he was last night.

I do want to raise the point he made, which is a very important one, that the federal commission did not do a good job when it came to determining the boundaries in northern Ontario or in rural Ontario. We also must recognize that there are provisions they had to consider that are completely irrelevant to Ontario: provisions about guarantees of seats for Prince Edward Island in the House of Commons, guarantees of seats for the Yukon and the Northwest Territories, for Quebec and for the other Maritime provinces. These have nothing to do with Ontario and with the Legislative Assembly in Ontario, and those provisions determined the total number of seats that could be allocated to Ontario. So to suggest that by mirroring those seats we have done a good job I think is to ignore the realities of the commission's responsibilities to those other provinces.

I think it's important to recognize that the two federal members representing the area that my friends from Cochrane North and Cochrane South represent both objected in the committee in the House of Commons. Mr Reg Belair, the member for Cochrane-Superior, and Mr Thalheimer, the member for Timmins-Chapleau, both said that the boundaries as set out in that part of northern Ontario were wrong, were inadequate, were inappropriate, that the area was much too large. So why is it that this government accepts those boundaries when the MPs who represent that area themselves don't think it was a good decision?

Mr John R. Baird (Nepean): I enjoyed the speech from the member for Cochrane North. I enjoyed the first half last night at 10 to midnight and I enjoyed listening to the rest this afternoon. I would indicate to the member that I appreciate there are some concerns with respect to northern Ontario. As my colleague from Scarborough East has mentioned on previous occasions, there is a 20% differential allowed in the boundaries adopted by the non-partisan federal commission on electoral boundaries, and that's important to know. It actually gives northern Ontario an extra two seats.

I would also indicate to members opposite the quality rather than the quantity. In eastern Ontario, we lose five seats as well. People in my community were very excited to see the election of Dalton McGuinty as the new leader of the Liberal Party because in Ottawa we have on occasion over the last 50 years felt somewhat forgotten in Ontario.

We come as members, as my colleagues from Ottawa-Carleton would agree, and we see the Premier from northern Ontario, we see the Deputy Premier and Minister of Finance from northern Ontario. For the first year and a half, we looked at the members opposite and saw the Leader of the Opposition at the time from northern Ontario, the leader of the third party from northern Ontario, the former Treasurer from northern Ontario, the Honourable Floyd Laughren, Treasurer for five years, looked at the power that northern Ontario had in this place and we were jealous. Of course, we're losing five members as well in this process.

It's important that politicians lead by example, that we're not going to absolve ourselves. The Liberal Party in their election document, their red book, suggested, "Let's just fire political staff; let's just downsize with respect to political staff; let's keep the jobs for ourselves." Rather, we believe that if we're going to get ourselves out of the hole we're in with respect to deficits, we have to lead by example. We have to say that the leadership is going to start with a smaller cabinet and a smaller Legislative Assembly of Ontario, and that's very, very important.

Mr Len Wood: I'd like to thank the members for Nepean, Algoma and Algoma-Manitoulin for their comments on the speech I delivered last night during the debate and again today.

In response to the member for Scarborough East, some of the comments that were made on CBC radio, I didn't hear them, but the impression we got for the balance of that particular day and some of the media that were calling me was: "Why is this committee travelling around

the province? Why are they going up to northern Ontario into three different locations, to Ottawa and London and pretending they're listening to the people?"

The word is out on the street that they're not going to listen, that they're just going to come back and ram the flawed legislation through as is, try to get it through before December 12 so that Mike Harris is able to say, "The transport I had out in front of the Legislature is going to take \$2.5 million or \$3 million with those 27 seats out of the Legislature; I've committed a promise," even though the promise might have been silly during the election campaign. They were going to 99 seats at that time. When the Liberals in Ottawa increased theirs to 103 he said: "Me too. If the Liberals in Ottawa can increase their representation in Ontario to 103, I'll change mine from 99 to 103."

No thinking went into this particular piece of legislation or the campaign promise that was made. It's the same campaign promise they made that they'll give back 30% of the income tax to upper-income people in the province. Now the wheels have fallen off the wagon, and Mike Harris announced today that he's going to have to keep the Legislature sitting all winter to find a way to solve the problem. Now that he's torn Ontario apart, how's he going to put it back together?

The Acting Speaker: Further debate?

M. Jean-Marc Lalonde (Prescott et Russell) : Je suis très heureux de pouvoir prendre la parole concernant le projet de loi 81, Loi visant à réduire le nombre de députés à l'Assemblée législative en rendant identiques le nombre et les limites des circonscriptions électorales provinciales et fédérales et à apporter des modifications corrélatives à des lois concernant la représentation électorale.

En premier lieu, je désire mentionner que je crois qu'il est bon de repenser la redistribution des circonscriptions. La population a beaucoup augmenté dans les régions urbaines, et certaines régions rurales sont trop grandes en superficie. Là aussi il y a eu des changements au niveau de la population.

Le fédéral l'a reconnu et il a augmenté le nombre des députés de 99 à 103. Mais une chose qu'on doit se rappeler encore une fois : nous nous apercevons que ce gouvernement est porté à négliger le secteur rural. Lorsqu'on regarde le secteur du nord, 87 % du territoire ontarien sera représenté par seulement 10 députés.

En 1896, il y a 100 ans, la population de l'Ontario était de 2,1 millions. Nous avions 93 députés à l'Assemblée législative ontarienne. Aujourd'hui, avec une population de 11,3 millions, nous allons réduire le nombre de 130 à 103. Avec le projet de loi 81, le secteur rural perdra une bonne partie de sa représentation à Queen's Park.

On a entendu parler longuement les députés du nord, autant des libéraux que des néo-démocrates, mais aussi des membres du gouvernement, qui, eux, sont portés à parler à l'extérieur de la Chambre parce qu'ils ont peur d'être mis de côté par le gouvernement, qui sont insatisfaits de l'élimination de cinq circonscriptions dans le nord. Mais dans l'ensemble, les régions rurales de la province seront moins bien représentées.

Je veux reprendre les commentaires que le ministre Noble Villeneuve a faits en 1985. Il avait dit qu'il ne

voulait pas voir diminuer la représentation dans les régions rurales. Le projet de loi 81 aura pour conséquence de réduire la représentation dans les régions rurales. Noble Villeneuve, qui est aujourd'hui ministre de l'Agriculture, devrait se porter à la défense des gens, des agriculteurs de la province qui auront encore plus de difficulté à se faire entendre à Queen's Park.

Les organismes agricoles sont parfois mal informés, comme tout récemment, alors que le bureau régional, Farm Credit Union, n'avait pas été informé du programme d'investissement Grow Ontario. C'est notre bureau de la circonscription de Prescott et Russell qui les aurait informés. Ces derniers temps dans l'est de la province il y a des gens qui disent que Noble Villeneuve a beaucoup d'influence dans le Cabinet de Mike Harris, qu'il a de l'influence auprès des autres ministres. Si le projet de loi 81 devient loi, on pourrait dire que Noble Villeneuve n'a pas autant d'influence dans le Cabinet Harris, du moins pas autant d'influence qu'il voudrait bien nous laisser croire.

1630

Lors de l'audience publique tenue à Ottawa le 15 novembre dernier, le maire de Cumberland, Brian Coburn, s'est prononcé contre ce projet de loi. Sa municipalité se rediviserait en deux. Je me demande combien de représentants de circonscription ici aujourd'hui aimeraient voir leur municipalité divisée en deux. Lorsqu'on parle de programmes provinciaux on doit aller à deux députés. Lorsqu'on parle de conseils scolaires, on doit aller parfois à deux députés parce qu'une partie serait desservie par un autre député. De toute évidence, Mike Harris et ses acolytes, qui prennent toutes les décisions à l'arrière-scène, n'accordent aucune importance aux convictions des ministres de son Cabinet ni à leurs loyaux supporteurs. J'aimerais bien savoir qui M. Harris écoute et pourquoi il veut réduire le nombre des députés.

Ce n'est pas parce qu'il veut tenir sa promesse incluse dans la Révolution du bon sens. Au cours des 18 premiers mois de son mandat, Mike Harris n'a pas tenu ses promesses au niveau de l'éducation et de la santé. Il a coupé le budget de ces deux ministères. On pourrait lire dans le document de la Révolution du bon sens que pas un seul sou serait coupé à l'éducation et à la santé. Mike Harris nous dit que la réduction de 27 députés représentera des économies annuelles de 11 \$ millions. Mike Harris ne calcule pas les frais additionnels que cette réduction va occasionner pour les autres députés. Il ne calcule pas les coûts additionnels que les citoyens de la province devront encourir.

Dans ma circonscription j'ai deux bureaux et je dois en ouvrir un troisième. Avec la nouvelle redistribution je devrai ouvrir un quatrième bureau dans le comté de Glengarry. Je crois qu'il est important d'être présent et disponible pour nos commettants et commettantes. Je veux vous dire, en passant, que le secteur de Glengarry est définitivement un secteur rural qu'il me ferait toujours plaisir d'accueillir dans ma circonscription. Cela veut dire que je devrais embaucher du personnel additionnel, que je devrais couvrir un plus grand territoire et ainsi avoir des frais de déplacement additionnels.

Dans le nord de la province il y a des circonscriptions qui seront énormes et qui demanderont des déplacements

du personnel additionnel. Heureusement que nous avons un député qui couvre une grande partie du nord dans son propre avion, autrement ce serait impossible. Lorsque le député se rendrait dans un secteur à l'extrémité nord, on penserait que c'est la visite du pape qui passe.

Je suis persuadé que Mike Harris ne calcule pas ces frais additionnels, puisqu'il affirme que le gouvernement ferait des économies de 11 \$ millions par année. Mes calculs avec mes collègues, les économies sont au-delà de un demi-million, environ 475 \$ mille. Je ne sais pas où on prendrait ces 11 \$ millions. Maintenant Mike Harris compare le travail du député provincial à celui du député fédéral. J'ai beaucoup de respect pour nos collègues du fédéral. Ils travaillent fort, mais il faut se rendre en évidence que nos responsabilités ne sont pas les mêmes et que, pour cette raison, il n'y a pas de logique de baser la redistribution à partir des circonscriptions établies pour le gouvernement fédéral.

Nous n'avons qu'à penser aux responsabilités d'un député provincial. Nous devons regarder l'éducation. Dans ma circonscription je compte 52 écoles, 44 villes et villages, 19 municipalités. Qui doit répondre à toutes les coupures auxquelles nous faisons face en ce moment ? C'est le député. Je peux reconnaître actuellement que le secteur de Glengarry n'est pas bien desservi, et je dis bien que c'est parce que le député actuel, le ministre de l'Agriculture, n'a qu'un seul bureau, qui est situé à Moose Creek. Moi, je dessers ma circonscription ; les gens sont fiers d'avoir un représentant libéral qui les représente afin de répondre à leurs questions.

Lorsqu'on arrive dans le domaine de la santé, actuellement, avec toutes les coupures auxquelles nous faisons face dans le moment, les bureaux des députés sont débordés d'ouvrage. Je n'ai qu'à penser à mon bureau de Hawkesbury où on doit rester ouverts des heures supplémentaires afin de répondre à la demande de cartes de santé. Je ne sais pas combien d'autres bureaux en Ontario sont appelés à remplir tous les formulaires afin que nos personnes âgées reçoivent leur certificat de naissance et ensuite aillent chercher leur carte de santé pour pouvoir bénéficier du programme de médicament.

Dans les secteurs urbains ici je voyais tout à l'heure le nombre de députés dans Toronto métropolitain qui sera de 22 ; actuellement nous en comptons 30. Dans le grand secteur de Toronto nous comptons 48 députés et nous allons descendre à 41.

Mes chers amis, il ne faut pas comparer le secteur urbain avec le secteur rural. Ici à Toronto vous avez le transport en commun. Lorsque vous allez dans le secteur rural, si vous n'avez pas la disponibilité d'un avion, on oublie complètement et on doit souffrir sans avoir de services gouvernementaux.

Ici à Toronto, par exemple, lorsqu'on veut se rendre dans un bureau du gouvernement, on n'a qu'à sauter dans l'autobus et se rendre à ce bureau. Lorsqu'on regarde 30 députés dans Toronto même, comparativement dans notre comté de Prescott et Russell, par exemple, d'un bout à l'autre de petits villages, ici à Toronto nous comptons au-delà de deux et parfois même trois députés.

Mais lorsque nous regardons dans le secteur du nord, nous devons couvrir 87 % du territoire ontarien avec 10 députés. Est-ce que cela a du bon sens ? Je crois,

lorsque nous regardons la documentation qui a été distribuée lors de la dernière campagne électorale — on disait un gouvernement du bon sens — ma réponse a toujours été, «C'est du non-sens d'arriver avec des calculs de la sorte.» Encore une fois nous avons complètement oublié d'analyser l'impact que nous aurons dans le secteur urbain.

J'ai mentionné tout à l'heure le ministère de la Santé. Dans Prescott et Russell nous comptons un hôpital situé à l'extrémité est de notre comté, qui est dans Hawkesbury. Nous avons un comté dans toute la grande province de l'Ontario qui n'a pas d'hôpital, et c'est le comté de Russell, le seul comté dans l'Ontario qui n'a aucun hôpital à sa disposition.

Lorsque nous regardons les soins à domicile, qui seront coupés, qui allons-nous voir ? Nous allons voir le député. Nous n'avons pas autre chose. Nous n'avons pas de bureau du ministère dans nos comtés, donc le seul endroit où nous allons, c'est au bureau du député. Mais ici à Toronto nous nous rendons voir le bureau du ministère. Nous avons les services en place.

Nous n'avons qu'à regarder : tout récemment nous avons fermé les bureaux de supports familiaux. Des «family support branch», qu'on appelle en anglais, on a fermé le bureau d'Ottawa. Maintenant nous ne parlons pas à une personne au téléphone ; nous parlons à un enregistrement, et le service n'est pas là. Mais ici à Toronto vous n'avez qu'à prendre l'autobus ou marcher quelques coins de rues et vous êtes immédiatement rendus au bureau de support familial.

Lorsque arrive le temps des médicaments, avec toutes les coupures que nous connaissons, qui pensez-vous que nous allons voir ? Nous avons pris les données qui nous ont été donné, fournies par le fédéral pour établir les revenus familiaux. Souvent ça porte à la confusion. Nous savons que lorsque nous avons un salaire inférieur conjoint de 24 000 \$, nous sommes supposés payer seulement 2 \$ par prescription.

1640

Combien d'erreurs avons-nous connues dans le rapport ou dans les données qui nous ont été fourni ? À quel endroit doit-on aller ? C'est visiter le bureau du député provincial. Comme j'ai dit tout à l'heure, j'ai deux bureaux actuellement, et puis il faut en ouvrir un troisième et il faut travailler des heures supplémentaires. Le bureau de Hawkesbury, le bureau de Rockland, ils fonctionnent à pleine capacité et maintenant j'ai même dit à mes employés qu'il va falloir commencer à fermer le bureau des journées dans l'après-midi pour faire notre travail et faire la correspondance. Pourquoi ? C'est parce que le gouvernement a réduit les services aux citoyens et citoyennes de l'Ontario et en retour on vient voir les députés pour avoir des services additionnels, les services sociaux.

Quelle erreur dans le moment que nous avons procédé avec. Nous comprenons tous qu'il est important de retourner les gens au travail, de recycler les gens, de préparer les gens lorsque le travail deviendra disponible. Mais nous avons essayé de mettre sur pied un programme «workfare», retour au travail, mais avec aucune initiative attachée au bout. J'ai toujours dit que je suis d'accord de recycler nos gens, de préparer nos gens au retour au

travail, mais pas de la manière dont nous fonctionnons. Le gouvernement a encore oublié que dans le secteur rural et le secteur urbain, c'est complètement différent.

L'aide sociale, les prestations familiales, les résidences des personnes âgées, dans le moment, avec les nouvelles politiques du gouvernement, lorsque vous êtes hospitalisé et que vous avez reçu une chirurgie, si vous voulez demeurer une journée additionnelle à l'hôpital, vous devez payer un montant de 40 \$ additionnel. Mais souvent nos gens dans les secteurs ruraux, nous n'avons pas à notre disposition des personnes qui peuvent venir nous aider dans nos maisons. Est-ce que le gouvernement voudrait que toutes les régions rurales déménagent dans les secteurs urbains ? Lorsqu'on regarde la population du grand Toronto ici, nous parlons d'une population d'environ trois à quatre millions, comparativement à 11 millions à la grandeur de la province. Donc, encore une fois, nous avons complètement oublié l'importance d'analyser l'impact de toutes les coupures ou la réduction du nombre de députés que nous allons connaître à la prochaine élection.

L'impact sur le service qui sera rendu à nos citoyens et citoyennes sera tellement grand que maintenant ce ne sera pas une réduction des coûts pour les payeurs de taxes en Ontario. On dit toujours qu'il n'y a qu'un payeur de taxes. Bien oui, il y en a seulement un, mais avec les frais d'utilisateurs que nous allons rajouter afin d'aider les gens — quand on dit «aider les gens», il faut s'entendre, je ne crois pas qu'on va aider les gens. Ça va être des frais additionnels que nos gens vont encourir afin d'obtenir les services.

J'ai bien dit tout à l'heure que dans ma circonscription nous comptons 44 villes et villages. Nous avons une population de 126 000 actuellement. Nous allons réduire la population à 115 000. Le gouvernement a fait une grande erreur lorsqu'il a regardé le côté population au lieu de regarder le côté territoire. Je reconnais que dans le passé nous avions des territoires avec 19 000 votants. Dans ma circonscription, nous avions au-delà de 85 000 votants. Il y a une grosse différence avec 19 000, mais encore une fois, le gouvernement a manqué en ne pas analysant le secteur rural comparativement avec le secteur urbain.

Madame la Présidente, de plus en plus, nous voyons ce que le gouvernement essaie de faire. On nous dit en anglais que c'est un «tax scheme». C'est une approche gouvernementale afin de réduire ses dépenses, on pourrait dire, puis lorsqu'on va consulter la population pour voir si elle est favorable à la réduction des dépenses, tout le monde va dire, «Oui». Mais vous verrez en 1998 — 1998 et non 1997.

J'ai dit avant-hier que la moyenne salariale des dames dans le secteur de Hawkesbury était de 19 750 \$. Les dames dans le secteur de Hawkesbury vont bénéficier d'une réduction de 1,25 \$ par semaine avec la réduction d'impôts dont on parle. Je parle bien d'un «tax scheme». Mais lorsqu'on sera appelé à tout payer les services d'utilisateur, on va avoir un moins de 14,69 \$; j'ai fait les calculs. Je crois que le gouvernement n'a pas fait de calculs. Il a peut-être fait des calculs dans les secteurs urbains. Il n'a pas fait de calculs dans les secteurs ruraux.

Actuellement dans le secteur rural, lorsque nous regardons que nous avons une population qui vieillit au

Canada, que nous avons en Ontario une population qui vieillit, qu'est-ce que vous pensez que ces gens-là vont être appelés à faire ? On ne veut pas prendre les grandes routes avec les autos ; on n'y est pas habitué. Donc j'ai un haut respect pour les personnes âgées. Ce sont les bâtisseurs de notre pays. On devrait porter attention à ces personnes-là.

Mais non. Ce qu'on va faire, on va réduire le nombre de députés et après ça on va dire, «Si vous voulez avoir des services, appelez à Toronto.» Lorsqu'ils vont signaler à Toronto — lorsque vous attendez le répondeur, «Press 1, press this, press that», en français, «Appuyez sur le numéro 9» — les personnes n'y sont pas habituées. On devrait reconnaître ça pour nos personnes âgées. Mais non, on veut tout automatiser et on oublie le secteur de nos aînés de la province.

Une chose qui s'en vient, et puis encore là les députés seront appelés à répondre, c'est que nous voulons encore réduire le secteur de protection civile. Nous parlons de transférer les services d'incendie. Nous allons encourager les municipalités à transférer les services d'incendie au secteur privé. Qui pensez-vous va recevoir les appels ? Ce seront les députés. Nous voulons transférer les services de police, de la sûreté provinciale, aux petites municipalités de l'Ontario. Encore là, avec toutes les coupures que nous connaissons, ce sera le député ou ces adjoints et adjointes qui vont répondre à tous ces appels. Encore là une fois, je crois que le gouvernement devra se pencher sur l'importance. Avant de réduire le nombre de députés, nous devons faire une analyse au complet et voir quel impact aura cette réduction du nombre des députés dans le secteur rural.

Dans Prescott et Russell, ou bien dans l'est ontarien, nous allons perdre au-delà de cinq députés. Nous comptons actuellement dans l'est ontarien — quand on parle de l'est ontarien, beaucoup de gens pensent que c'est Ottawa sans aller jusqu'aux limites du Québec. Hé non, ça part de Belleville. Nous allons tomber de 22 députés à 17, une perte de 22,7 %, ou de cinq députés.

Lorsque je regarde Toronto, le GTA, excluant Métro, nous allons augmenter le nombre de députés. J'ai bel et bien dit tout à l'heure que les services sont à votre porte. Vous n'avez même pas besoin de prendre un autobus ; vous l'avez à votre porte. Mais on ne considère pas que dans le secteur rural on doit se déplacer.

La majorité des secteurs ruraux n'ont pas les transports en commun. Dans Prescott et Russell, pour un exemple, aucun transport en commun est en existence. Pourquoi ? Le gouvernement vient de couper les programmes qui avaient été mis sur pied par le gouvernement libéral en 1985. Donc, nous faisons du travail afin d'obtenir notre transport en commun. Maintenant, avec toutes les coupures fondamentales que nous connaissons, nous avons encore omis de donner un service au secteur rural.

Ceci conclut ma présentation. J'espère encore une fois que le gouvernement prendra en considération l'importance ou l'impact que la réduction du nombre des députés de 130 à 103 aura sur le secteur rural.

1650

The Acting Speaker: Questions or comments?

Mr Len Wood: I am pleased to get up and comment briefly on the member for Prescott et Russell. He made

an excellent and colourful plea to the Legislature here that the government members listen and take things seriously instead of bringing in and continuing to try to ram through Bill 81, which is a complete nonsense bill. We thought it was silly during the election campaign. We still think it's silly, along with the 30% tax break they're promising, as well as other cuts.

I'm sure the member for Prescott-Russell has the same headlines I have. Every week further announcements come out. "MTO Slashes Seven Local Jobs" with downsizing in the town of Cochrane. They're saying that within another year you can expect to have another 30 or 40 more. You're talking about towns with 4,000 or 5,000 people. You lose 25 or 30 jobs out of these communities from one ministry, then MNR cuts, and then the Minister of Northern Development and Mines is travelling around the province saying: "Well, we're going to spend money. We've got \$210 million in the heritage board that we're going to spend in northern Ontario some time."

All they've done so far is to fire the 20 board directors who were there and appoint 10 of his own advisers to the heritage board. I believe in the last 16 months they've only announced that they're going to spend somewhere around \$900,000 on six tourist information centres to bring in tourism. There's all that money out there that should be spent, and there are announcements coming out all the time: "Well, we have that money. We're going to do it."

Right now the people of northern Ontario are saying that it's a disgrace the way the Minister of Northern Development and Mines is representing people in northern Ontario and he should be replaced because he's not doing the job of protecting jobs in northern Ontario or creating new jobs through the private sector. This is not happening, and it never will happen under this minister.

Mr Mario Sergio (Yorkview): I'm very pleased to respond to the wonderful and passionate presentation by my colleague from Prescott-Russell. He has detailed very well what the problem with the bill is. In response to some of the comments from the government side, the member for Prescott-Russell has exactly identified the problems that not only the north will be experiencing on a larger scale, but even problems that we are experiencing down here in eastern and western Ontario. He has mentioned quite well the problems associated with transportation, delivery of services, representation and even the family support service that the government has cut.

I think what the member is trying to say is, how can we deliver better representation and better services when you are diminishing exactly that? What he's saying in a few words is that less indeed means less. He has exposed, for example, that an area like Prescott-Russell — I'm not saying regions in the north; we will be speaking about that later on — that even regions like Prescott-Russell are not easily serviced, as we are here in the GTA or Metropolitan Toronto.

What the member has been saying is that we are making it indeed much more difficult for those communities to be represented, to be serviced, not only by the local member — as he said, he has two offices now servicing the region to capacity and he will be forced to

open up another office so he can render the same service to those people he will be forced to absorb because of the redistribution. I congratulate the member again.

Ms Frances Lankin (Beaches-Woodbine): I'm pleased to have an opportunity to respond to the member for Prescott-Russell. I thought he made important points around the issue of representation. I'm thinking of the riding that he represents, the breadth of that riding, the diversity in that riding and the need for people to feel that they have accessibility to their local member of provincial Parliament. I've heard that theme woven throughout the comments of many members of this House.

I'm reminded of the member for Lake Nipigon, who talked about the redistribution of the mega — this government's really into mega things, right, megacity, megaridings — in northern Ontario, in which that riding will be bigger than some 30-odd countries in this world that he read off into the record.

It's not just an issue of big, it's an issue of process. How did we get here? To simply say that the federal government has got the boundaries right and that that makes sense for the province; in fact, the federal government took into consideration regional issues on a nation-wide basis and ensured that certain areas had over-representation and then ended up with Ontario dividing up what was left. Within Ontario, surely we should be looking to areas — and I'm not speaking of my riding, I'm speaking of areas in the north, areas in rural Ontario, areas where distance and geography make it important that the riding is of such a size that there is a reasonable opportunity for citizens to have access to their elected member.

I've thought often of what some of the members of the government have said about "Well, you don't need to meet your constituents; phones and faxes do it all." That's not good enough. That's not what representative democracy is about. I'm concerned with the nature of how we got to this bill, with this government's sort of blind approach on symbolism as opposed to content. I don't disagree that we should perhaps look at reorganizing ridings and that that might lead to fewer politicians, but let's do it in a rational way. This putting up of symbols all the time is not good government and this government is not providing good government.

Mr James J. Bradley (St Catharines): It was an excellent speech that the member delivered, and I know one of the concerns he would have is that there be a sufficient number of members in the Legislature to prevent the privatization of the LCBO. Because he would know, as others know, that the LCBO provides a safe, secure and controlled way of retailing alcoholic beverages in this province, that it provides the best method of restricting the sale of liquor to young people — that is, to minors — in Ontario. It has an excellent program of quality control of the products sold in its stores, and we can recall in other instances where that hasn't been the case that there have been cases of poisoning or other problems.

It also provides a wide selection of products to its customers in modern, convenient stores, and it has moved forward with the times, sensitive to the needs of its

customers. If I may be parochial — and this is where local representation comes in; we will be going from six members to four members in the Niagara Peninsula — it is an important instrument in the promotion of Ontario-made wine. Wineries in Ontario and grape growers in Ontario are both extremely concerned that this government would do something else risky, like your risky tax scheme; that what you will do is turn over the LCBO, a proven winner — I saw their annual report this year that said it was their best year yet — that you want to turn that over to private operators.

Anybody who has observed private operators south of the border knows that you do not have the good control over the sale to minors, that there isn't the kind of quality control that we'd like to see and there isn't the kind of convenience that they have. I know the member was concerned about this during his speech but didn't have time to mention it.

The Acting Speaker (Mr Bert Johnson): The member for Prescott-Russell has two minutes to respond.

Mr Lalonde: I want to thank my colleague from St Catharines. Definitely, I didn't get to that point, it is true. With the amalgamation, the people are going to have less accessibility to their elected member. They will go to the MPP's office, especially when you look at the LCBO, for example, like he mentioned.

If this government privatizes the LCBO, definitely they will be looking at the dollar sign. Looking at the dollar sign, they won't even ask for the ID card. The VLTs are an example. This is the one thing that I've said all along: Who is going to control that? Already people were coming down to my office to report those illegal ones. They were illegal. Now they will become legal, so you're going to have a lot more people going there.

One other point that was mentioned that I want to come back to, especially in my district, is the fact that they have split a township in two. When it comes to provincial recreational programs, the urban sector was separated from my riding. The Orléans area, Queenswood area of Cumberland — the specific address is Orléans — was taken away from my riding, so that area is getting some programs that the rural areas are not getting. Again, the people are going to say: "We live in the same province. How come we cannot get the same services as the people from the Ottawa-Carleton regional government?" It shows that this government has to take a hard look at this bill.

Is it a good thing to cut down from 130 to 103? Apparently it is, but they should recognize that the rural sector should be taken into consideration.

1700

The Acting Speaker: Further debate.

Mr David S. Cooke (Windsor-Riverside): I intend to vote against this bill because I stand firm with my Liberal colleagues in saying that the Chrétien government really messed up these boundaries. I had to say that.

Mr Bradley: It's in the water in Windsor.

Mr Cooke: Well, the water that's going to go private.

I can't support this bill, not because I don't have some agreement with the concept. I think all of us who have been members for a period of time understand that there's confusion about who represents what and what the

boundaries are. If you're east end and you're in my city then you might be in one federal riding, you might be in another federal riding. There's some logic, although I hear some of the Conservative members saying that now people will, as a result, understand who's a member of provincial parliament and who's a member of federal parliament. I think that's being quite simplistic. If anything, there'll be even more confusion as to who is which level of government. I don't know how many times I've been at the Windsor airport and talked to constituents who have said, "Well, have a good week in Ottawa." There's always going to be that kind of confusion.

Interjection.

Mr Cooke: And then I got on the plane and I went to Ottawa and forgot that I was really supposed to be going to Toronto.

I guess what I object to in this whole process is the simplistic nature that it's being dealt with by the government. First of all, to say that you can come in here and that you've got a mandate from the people, that the people voted in favour of a reduction in the number of boundaries, I think is to misinterpret the mandate that you've got. There's no way that people voted in the last provincial election and said that they were endorsing everything that was in the Common Sense Revolution. You know as well as I do that very few people knew all of the promises that were made in the Common Sense Revolution. They bought into some of the concepts in it —

Mr Wildman: Did they memorize it?

Mr Cooke: I daresay there are even some of the Tory backbenchers who wouldn't be able to —

Interjection.

Mr Cooke: Well, I think the ones who had the highest profile, the ones who pushed some particular hot buttons, people bought into and they went for it, not understanding, quite frankly, all the implications, not understanding that this government wasn't even going to keep all of those promises. They bought, for example —

Mr Bradley: Not in hospitals closings.

Mr Cooke: Exactly. You come in here and say you've got a complete mandate to reduce the number of seats from 130 to 103 and that's a commitment that you made and you can't break that commitment. I daresay if I went and canvassed my constituents and I said to them: "Do you want them to keep the commitment to reduce the number of MPPs or would you prefer that they keep the commitment to reinvest all of the dollars into health care, not cut health care spending, maintain spending in our classroom education?" I think my constituents would say, "We don't care about the number of MPPs; we care about the services that our kids and our families have come to count on, namely, health care and education."

The other thing that I think is simplistic about this approach and I think reflective about the simplistic approach that this government is taking to a lot of things is that this plays entirely into the anti-politician, anti-government theme that this government has taken. They knew that there were people who were feeling cynical about the process, that there were people who were angry at politicians, and they decided to play into that. They played into it by saying they're going to reduce the

number of MPPs, and they knew that for some people that would get some votes, for all of the wrong reasons, but it would still get them some votes.

They never talked about some of the other implications that I think need to be discussed. Again, the concept of it I don't have a big problem with, but I think we need to talk about the other things that need to go hand in hand. What are the financial requirements that are going to be needed for a northern member who's going to represent a riding, some of those ridings — I know even now, and I don't pretend to know all of the problems of representing a riding the size of some of the northern ridings.

My riding is one of the most southern ridings in the entire country. To drive from one end of my riding to the other end of it would take me about 20 minutes, so it's not a very difficult riding to get to. There are other difficulties in representing an urban community, and I think that needs to be understood as well, but when Floyd Laughren tells me that to go from one end of his riding currently, under the current boundaries, to the other end of his riding takes him as long as it takes me to drive from Windsor to Queen's Park, I think that's something you need to consider.

I hear Tory members saying, "You can use technology." Len Wood has outlined some of the problems, but even if the telecommunications were in such a state in northern Ontario that you could, how could you use technology when at the same time you've cut back the budgets for MPPs? We wouldn't have the money either in central caucus expenditures or in individual MPP expenditures to be able to invest in the type of technology you would need in some of the large ridings.

If you're going to reduce the number of MPPs, I think you need to be fair and honest and say that some of those savings will be reinvested in large rural and northern ridings so that those people who live in those ridings can still continue to have the kind of dialogue and contact with their MPPs that they need to have. Whether it's a mechanism that for constituents in a part of your riding who might be 200 miles you could actually have teleconferences, whether Contact North can be more accessible to MPPs — those types of things are necessary so we can actually have MPPs who maintain close contact with their constituents. That's never been talked about.

All we've heard is, "We're going to play to the feeling that's out there among people in the province that the fewer politicians the better." You could score even more points by saying, "Let's reduce the number of MPPs in Ontario to 25." There would be a lot of people out there who would support it. It's up to us to go out there and say, "This is what we need to keep in touch with you."

If we don't keep in touch with our constituents, we can't do a proper job here. We can't do a proper job here because we don't experience personally the same problems some of our constituents have. The only reason I understand what it's like for some of my constituents who live on very low income is because I sit down in my constituency office and talk to them and they tell me what they're going through, the pain, the difficulties. I won't know that, or some of the northern members and some of the rural members are going to have much more difficulty understanding the difficulties and the challenges

their constituents are going through because it's going to be more difficult to represent them.

If you want to parallel the federal ridings, then I say parallel the federal budgets for constituency offices, for mailings and support. You've cut back the ability for MPPs to communicate even by mail. Now we can only do one mailing a year, and even that —

Mr Baird: Two.

Mr Cooke: If you take a look at what the budget is, it's going to be extremely difficult to be able to get two mailings out per year. We're now into a global budget and it's extremely difficult to do those two mailings.

I say it's worth the investment to do the ongoing communications with your constituents. Take a look at what we need to do to invest in technology. I would feel a lot better about this proposal if the government had dealt with those particular concerns.

I also think you have not considered the fact, as I hear from Tories again — well, I used to hear it. Now they're talking about going to megacities and eliminating all sorts of lower-tier governments across the province. I used to hear that the most important level of government is the municipal government because it's the closest to people. I would argue that the second most important, if you want to use that argument, is the provincial government and the provincial Legislature and MPPs, because we deal with human services. The federal government doesn't. Quite frankly, the federal Parliament is dealing with fewer and fewer of those issues because of the devolution of responsibilities and funding to the provinces.

We deal with education, we deal with social services, we deal with health care. If you go to many fewer school boards across the province, which I personally would endorse and did when I was minister, and more responsibility with the Ministry of Education, there's going to be more need for MPPs to be in contact with parents and teachers to hear what's going on in the education system because we're going to have more responsibility at the provincial level.

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Those are services that I think put this level of government much closer to the people, and can be an argument of why we should not parallel boundaries at all with the federal Parliament, that we need more MPPs because we deal with those human services that touch people every single day.

I've talked a bit about supports for MPPs in mailings and also staffing.

I also think it's important that you should be looking at the standing orders. I mentioned this very briefly yesterday. If we're going to have 103 members, why would we have the same number in the standing orders for a quorum that we have now, with 130 members? Why wouldn't that number come down? That, of course, would benefit the government. That would not benefit the opposition, that would benefit the government. But I think that's a rule that needs to be taken a look at.

Official party status is another one. You're going to maintain the same requirement for official party status in this legislation with 103 members that the federal Parliament has for, what, 295 members? That's ridiculous.

There's been no response and no offer by the government House leader. It would seem to me that when

you're passing this legislation, you should have a parallel motion that passes amendments to the standing orders that strictly relate and only relate to the changes in the number of MPPs. You could put right in the motion that it would not come into effect until the first day of the next Parliament, because it would not be appropriate to have those standing orders changed until the next Parliament. But none of that has been responded to.

The number of members required to divide should be changed too. Currently it's five; it should probably be lowered to about three in order to divide. There's a whole series of standing orders that need to be reviewed to parallel the new numbers that are going to be in this parliament after the next election.

What it reinforces for me is that none of that was considered by the Conservatives when this party platform was being put together. It was a very simplistic position put forward that was just playing to the anti-politician sentiment that you knew would deliver some votes for you. That's all it was designed to do, and it's more complicated than that. It's always more complicated than the kind of simplistic platform you put together to try to get votes during an election. None of this has been discussed.

I think it was a relevant issue to raise that Morley Kells, the member for Etobicoke-Lakeshore, raised when he wrote an op-ed page for the Toronto Star. He said it needs to be discussed, that what this is doing is going to result in a significant shift of power away from older urban areas in the province to suburban areas. That may be the right thing to do, but it has an impact on government policy. It would be wrong to assume that governments are going to respond in the same way to public policy when they have larger numbers of their members coming from suburban areas than they do old urban areas. You're of course always going to be more sensitive to where there are seats. That's the nature of democracy.

I think Mr Kells was right to say, "What are the implications going to be for downtown Toronto?" What are the implications going to be for a community like mine? We're going from three seats to two seats. It's not that many years ago that we used to have three-and-a-half seats in the city of Windsor. We're going to go down to two. Even if I want to take a look at some of the specific boundaries in my area, we're going to have Windsor-St Clair and we're going to have Windsor West. My riding is the extreme east end of the riding, but about one third of my riding, which is the extreme east end, is going to go into this other riding called Windsor West, so you've got a riding that goes from the extreme west to the extreme east.

Some people may say that doesn't matter. One of the principles we always used to have in redistribution, which I think is appropriate, is that you have communities of interest within a riding so that an MPP can properly represent those communities of interest. I can see different ways of designing these boundaries. Maybe it doesn't matter as much federally, but it does matter provincially when you're dealing with human services, when you're dealing with services that are delivered to people in a much more concrete and day-in and day-out way than anything the federal government does.

If you want to decrease the number of MPPs, I think it is fundamentally wrong public policy to say that the simple way of doing it is to say that whatever the federal government decides in its independent commission is good enough for Ontario. Somebody said a few minutes ago that there were specific criteria in the federal commission's guidelines that talked about guaranteeing certain areas of the country certain levels of representation. PEI has been one of the examples, and there's a long history to that that goes beyond one particular commission. But if you want to go down to 103, I don't think we should just give that power to the federal government and to some commission, because there are different requirements at the provincial level.

Say you're going to go down to 103 and that one of the major factors an independent provincial commission should take into consideration would be communities of interest. One of the principles that would be considered would be the federal boundaries, but not necessarily all coterminous with the federal boundaries, because it doesn't always make sense. There are different needs at the provincial level.

What are we going to do the next time, 10 years from now, if a commission comes in at the federal level and the criteria it sets are completely and totally objectionable to Parliament here in Ontario? We're still going to have to follow those boundaries, and that's wrong.

Mr Baird: You could bring in new legislation.

Mr Cooke: So what you're saying is that this particular law is for this time around, but not necessarily for 10 years from now. Most of the arguments you've made have been, "We're going to save money on the commission." Well, how much money out of the \$53 billion or \$54 billion we spend at the provincial level? Democracy's something that's pretty precious, and sometimes a little bit of money to make sure it works properly is worth the investment. I think it's wrong to downplay that important investment.

I want to finish by saying that I think it's still essential that the government House leader come in here at some point very soon and say what the companion changes in government policy and in legislative policy are that are going to go along with this piece of legislation. I think it's been handled wrong. The member from Scarborough said a few minutes ago in response to my colleague from Cochrane North that this was a policy, and his point might have been misquoted by some of the press that the public hearings didn't mean anything, but his point was that this was policy and it was going to be done; it doesn't matter what the debate is in the Legislature, it doesn't matter what the response is.

Do you think everybody is just making this argument because they're interested in saving their seats? I don't think that's the case. I don't think that's the case at all. Why are chambers of commerce in northern Ontario, why are municipal politicians saying they're concerned about this, concerned that they're going to have a smaller voice, less of a voice, in the Legislature? When you say, "You're just trying to protect your own seats," I guess the argument is that MPPs are not allowed to debate this, that we shouldn't even debate it here because it's all self-interest. I don't believe that for a minute.

I think there is a solid argument, a point of principle and public policy that has not been properly considered by the government. Even though I have some sympathy for the concept, I don't think the total public policy package is here and I don't think it'll work because it hasn't been thought through. Therefore, I can't support this legislation as it's been presented. I think at this point it's shortsighted and will not serve the long-term interests of any of the people of this province. Again, I urge the backbenchers of the Conservative caucus to reconsider this and to ask that there be other aspects of the policy that haven't properly been considered by the government to be brought forward before we pass this for third reading.

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The Acting Speaker: Comments and questions?

Mr Gilchrist: I'm pleased to make a brief comment in response to the speech from the member for Windsor-Riverside. I appreciate his point of view, and I appreciate his detailing some of the changes that will occur in Windsor.

I guess I'm somewhat confused at why the people who would have made representations in his neck of the woods to the federal commission would not have had the same sense of community, how you could suggest that the federal MP wouldn't have exactly the same problems if there were a natural barrier or there were dramatic differences in the demographics between different parts of his or her own riding or proposed riding, and why the people who made representations to the boundary commission wouldn't have said exactly the same thing if a provincial commission came around right now.

Presuming that the people who were selected, non-partisan — these weren't politicians who sat on that federal commission — and presuming we used the same standard to find unbiased individuals to sit on a provincial commission, why would we believe that two groups hearing the same submission would have come to different conclusions?

Mr Cooke: Different guidelines.

Mr Gilchrist: No, the guidelines are identical. They were identical, save and except the federal government has one additional guideline, that it can't deviate by more than 25% above or below the quota, the ratio if you divide the total number of seats into the total population. Therefore, the ability to gerrymander, the ability to have ridings that have six and a quarter times the number of voters, which is the case today — for Al Palladini to have six and one quarter times the workload of Howard Hampton is utterly unacceptable, and no one in Rainy river defended that.

The greatest flaw in the argument about geography right now is the fact that Mr Micalash's riding, immediately beside Mr Hampton's, not only has five times the geography, it has one and a half times the population. So why does Mr Hampton's riding have only 19,000 voters? Why? Because nobody has had the courage to address these long-standing flaws in distribution. Our government has that courage, and that's what this bill is all about.

Mr Lalonde: I really appreciate the speech given by the member for Windsor-Riverside, but I'd just like to come back to some of the comments that were just brought in front of us.

It's impossible to try and compare the MPPs and the MPs. That's impossible. Federal MPs have very little to look at in the rural area. It's federal matters. Provincial matters are everything. You compare Minister Palladini with Mr Hampton. Definitely, we could refer to that, but the cost to have an office here in Toronto compared to the cost of having an office up north, you just can't compare it. Very often some of you people might have your own riding office right here in Queen's Park. We don't have that in the riding. So just don't try to compare the costs of an MPP in a rural area vis-à-vis the MPP from the urban area. It's impossible.

Once again, I appreciate the comments that were given by the member for Windsor-Riverside.

The Acting Speaker: Comments or questions? The Chair recognizes the member from Nipigon.

Mr Gilles Pouliot (Lake Nipigon): I appreciate your recognizing the member for Lake Nipigon, Mr Speaker.

The Acting Speaker: Lake Nipigon.

Mr Pouliot: In response to the statement by the member for Windsor-Riverside, suffice it to say that the Legislative Assembly of Ontario, the people of Ontario, beyond the privilege, have been blessed by his expertise. He's been a member here for 20 years. It's not a matter of doing everything possible to keep his seat, nor is it a matter of doing everything and anything possible for Mr Laughren, who's the dean of the House, also a member of our party, who's been here for 25 years.

What the member for Windsor-Riverside is saying is your plan of attack, your rationale, your substance, your database, the reason why you wish to go from 130 to 103, is really not addressed. We know that the tasks of a federal member and those of a provincial member differ to a large extent. For instance, they have no jurisdictional capacity at the federal level over municipal liaison, transfers with municipalities, over schools, over hospitals, health care, education. So our workload is somewhat different.

Let me remind what one of the members opposite, a member of the government, has said in answer to a question by the Ontario Federation of Agriculture. I'm talking here about Richard Simpson, government members' services, PC caucus. This is what he said in terms of what is being addressed here, the electoral realignment. According to him, the provincial government is focusing primarily on economic issues, and as such, he suspects that they probably will not move on this issue for about another year. He also mentioned that whenever they decide to move on this issue, whenever they do so, there will probably be a committee set up to examine how this would affect Ontario in terms of voter representation, cost saving and regional representation.

Mr Dan Newman (Scarborough Centre): I'm pleased to rise and speak on the presentation of the member for Windsor-Riverside on Bill 81, the Fewer Politicians Act.

He spoke about harmonizing ridings and what effect that might have. I think it's going to have a very positive effect in my riding of Scarborough Centre because half of my riding, the area south of Eglinton Avenue East, is in the federal riding of Scarborough West, and the area north of Eglinton is in the federal riding of Scarborough Centre. There's a lot of confusion on the part of constitu-

ents as to which area they're in, and I think this will settle this once and for all.

What I hear from all opposition members is that they're all in agreement with cutting the number of ridings but it's, "Cut ridings but not my riding." That's what I hear from people out there.

He also spoke about the global budgets and mailings. I would encourage him to be more creative perhaps in his approach to communications with his constituents. Looking at the budgets of many NDP members, they spent in excess of \$240,000 last year. The people of Scarborough and the people of Scarborough Centre are in favour of reducing the number of MPPs, not only in Ontario but in Scarborough. They say that we are showing leadership by example, and I absolutely agree with them 100%. I'm proud to be part of a government that is showing that leadership in everything that it does.

He also spoke about there being an anti-politician feeling out there. I don't think it's anti-politician feeling on the part of this government. If there is indeed an anti-politician sentiment out there, it's probably due to the overspending and excessive taxation of the former NDP government.

The Acting Speaker: The member for Windsor-Riverside has two minutes to respond.

Mr Cooke: I don't want to say who's to blame over a period of time for why people are anti-government and anti-politician, other than to say that I felt it most from 1984 to 1993, when a guy named Iain Brian was in power. I think that really got to people and really started the whole thing moving along. I don't want to —

Interjections.

Mr Cooke: I guess that really gets them going, eh?

Mr Terence H. Young (Halton Centre): That's in poor taste.

Mr Cooke: In poor taste? It's pretty accurate. You weren't elected. I know how my phones used to ring off the hook and the letters I used to get. Sure there was a lot of confusion; some of them thought I was a federal member and they could complain to me about Brian. We just gave them the direct number, but they could never get through.

I just want to make one point to the member for Scarborough Centre. The guidelines are not always the same. The guidelines that are set up between a provincial commission — and I remember being involved in drawing up the guidelines of the government of the day in the early 1980s with the provincial redistribution that took place then. They aren't always the same and they don't have to always be the same. Is the federal government going to say that when they're doing their boundaries 10 years from now that provincial riding associations have just as much input as federal riding associations on the boundaries when they're reorganizing the boundaries? Of course not. They're obliged to report to the federal Parliament, not to the provincial Parliament.

I guess the other point is that the member for Scarborough Centre said, it's either this or it's the status quo. I am sick and tired of hearing that simplistic approach. It isn't your proposal or the status quo. There are other reasonable proposals that perhaps you should listen to.

The Acting Speaker: The member's time has expired. Just before we proceed with the debate, I want to mention

that we don't refer to people in positions by their names. We would like to keep that parliamentary tradition, referring to them by their constituencies, their ridings, or perhaps their positions. I would like to just remind everyone that that's the type of thing I expect, and that would be particularly by those federal members as well, no matter what your personal opinion of a person is.

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Mr Cooke: Mr Speaker, on a point of order: I think the traditions and the rules are fairly clear here that when I'm referring to another member of the Legislature, I have to do that, but the last I understood, the former Prime Minister was not a member of this Parliament, and I do not believe that anything prohibits me from calling Mr Mulroney his more commonly known name, "Iyin' Brian."

The Acting Speaker: I'm sorry, that is not acceptable, and I would ask you to withdraw. I don't think that is showing the respect to those people, no matter what your opinion of them. I don't think it's parliamentary.

Mr Cooke: You are completely wrong on this, Mr Speaker. This has never happened before.

The Acting Speaker: I would like to clarify my directions to the member for Windsor-Riverside. My feeling is that it's completely unfair to refer to a person who can't defend himself by such a derogatory term as "liar," and I still stand by that. But if you stand by what you say, I will accept it and you may remain, but I would like to point out that I am in total disagreement with it.

Mr Cooke: Can we debate that?

The Acting Speaker: You may not. Further debate?

Mr Ted Chudleigh (Halton North): I'm pleased to stand here in the House today and support Bill 81, the Fewer Politicians Act. It's a constant and continual pleasure to stand in the House, to be able to stand here with confidence and acknowledge that every time I return to Halton North I can talk to my constituents and tell them that this is another example of us doing what we said we were going to do. I venture to guess that it's been quite some time since the members of the governing party were able to return to their constituencies and do just that.

We can all be proud in this House to say we reformed the pensions, we cut our salaries, we cut government spending internally and we are still reducing the size and cost of government, to name just a few.

Our plan has started to reap the rewards of prudent financial management. Our plan has started to invigorate the economy and create jobs. We created 127,000 jobs last year, 50,000 in August alone and 27,000 in October, I believe. Our plan listens to the people of Ontario and does what the voters want. When all is said and done, the people of this province know what is best. It's not about politics or about politicians; it's about hope and opportunity and jobs.

One of the arguments we have heard from those opposed to this bill throughout this debate is that the reduction in the number of ridings and realignment with the federal boundaries is in some way a power grab by this government. Let's explore this thinking for a minute. The contention is that the current riding elimination plan will favour the government in the next election. Really?

How is that so? Let's say that those opposed to this bill believe that under the current plan fewer government members would lose their seats and therefore have an easier go at forming the next government, a majority one at that.

I hope their predictions are correct, but the evidence which supports their contention is nonsense and this is why: No one can predict the future. We can paint a picture of what we see as the future or explain our vision of what the future might hold, but in reality the future is always made unpredictable by variables that no one can control, and the same must be said of elections.

This is why I find those opposition statements odd in which they even consider our policy being a power grab falling within the realm of possibility. If what the opposition says is true, then they are telling this House they know exactly how the people of Ontario will vote in the next election. Having said that, I would ask the members opposite if this is some kind of mystic revelation that somehow came down from the mountain and enlightened all of them, or is this something they have known all along? Either way, as ridiculous as this opposition argument is, it does one thing, in my opinion: It insults the intelligence of the voters.

To even suggest that there is some predetermination in the way the majority of people vote is to suggest that they have been neutered with the new boundaries and have lost their individual right to influence the vote. If this is the case, as the opposition is suggesting, and their votes do not count, then why vote at all? A vote is a vote is a vote, where I come from. Every one of them counts. Everyone has the right to change their minds, as they have in the past and will continue to do in the future. Bill 82 holds up the tenets of democracy. No one can gerrymander or manipulate boundaries in today's society for their own benefit without the violent rebuke of the electorate. No, the voter, and the voter alone, will decide the next election. The boundary changes, even with the reduction of provincial boundaries, will not be the determining factor in the next provincial election.

The proposed changes will actually assist constituents and all of us in the Legislature to serve them more effectively. The new boundaries make it less confusing for constituents when they vote, when they need assistance or want to get together with more than one level of government. For instance, my current riding, the riding of Halton North, is served by two federal counterparts. With the changes, provincial and federal ridings will be aligned and provide more opportunity for more streamlined interaction between levels of government, something that I believe will be very important for the future. From a government point of view, it will be easier to schedule meetings on important issues affecting the riding. In addition, this act may make it easier still on municipalities when dealing with more than one level of government.

This might seem obvious, but I'll mention it so that all can understand. If these changes make it easier for levels of government to get together on issues which need many levels of responsibility in order to facilitate a decision-making process, then it has got to be good for constituents, and what is good for constituents is good for

government and the governmental process. It all means faster service, more effective government and better democracy. Wouldn't it be nice to have a system of government that works better? This is of course a rhetorical question.

I would like to spend some time on what it means to keep your promises and stand by your word. There is something to be said about a party which promises in an election campaign to reduce the number of MPPs in the Legislature by 20%, knowing full well that this plan, if implemented in government, would no doubt affect many of your own members. This act affects many of us on both sides of this Legislature. It pits friend against friend and colleague against colleague in many areas of the province. My riding is no different. But such is the essence of living up to expectations. Such is the obligation of leadership. Such is the responsibility of keeping your word. If you cannot stand by your word, then what exactly can you stand by?

There's a lot of courage in this decision. It proves to the electorate once again that this government is serious about making tough decisions, even those that impact directly on ourselves. The voters will recognize that this decision is not about partisanship but about doing what is right and doing what we said we would do and keeping our word.

Savings to taxpayers begin with about \$11 million a year saved in MPP and staff salaries and other costs associated with running Queen's Park and constituency offices. It is all part of the big picture in reducing the size and cost of government. It is about fulfilling another key election promise made in the Common Sense Revolution. The people of Ontario voted in favour of the plan and expect us to take action on this plan instead of, as some have suggested, to review it, determine its impact, find out what the people want and then lead in that direction. Just what we need: another commission on electoral boundary reform.

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Further, to all those who are pretending to pander to the concerns of the north and trying to scare the people into thinking this plan somehow is directed at them and their right to equal representation, I have this to say: For once in your political lives, understand when you are politicizing an issue and opposing just to oppose and to gain political capital. The members of this Legislature know full well that this government recognizes the uniqueness of northern Ontario, and for this reason we support the plan. Even though representation is based on population, northern Ontario ridings will have smaller populations. In fact, under this plan, northern Ontarians will be allotted two more ridings than they would have under a pure representation by population system.

I say to the members opposite who wish to pursue this course of debate, stop insulting the people of northern Ontario with your partisan rhetoric and start giving them the facts. Our government is absolutely committed to creating a better, more prosperous Ontario where growth, hope, pride and opportunity prevail. Our plan has been consistent with this goal and we continue to reflect it. We still have a long way to go and much more work to do, but we are on the right track. We will not rest until we have accomplished what we have set out to do.

The Acting Speaker: Questions and comments?

Mr Sergio: Thank you very much. I will be responding at more length later on, during my presentation, but I am pleased to respond to the member and his comments. Perhaps he hasn't really dwelt on the changes the proposed bill will bring to the northern ridings. I have to point out to the member that while the changes may not affect in an adverse manner my riding or ridings in his area or in south-central Ontario here, there are many areas indeed that will be affected.

Let me say to the member and to the House what some of the people said during the hearings. "It is not how many people you are going to serve; it's what kind of service you're going to render to those people." I think this is the most important thing we should keep in mind. The member said, "Sure, we have increased the ridings in the north, but look, they're going to get less people." With all due respect, I think the members on the government side should take another look at the boundaries in the bill as it is proposed. It's beyond me; I can't see how we can increase territory and keep less people and less representation.

I think it's totally unfair to the people of the north to say: "We are going to make your area bigger. We're going to make it much more difficult to get representation from your member, whoever he or she may be. Therefore, we're going to go ahead with it."

We have heard time and time again, "It is not what we are doing now; we are doing what we told you two years ago." Well, isn't that wonderful, that they'd not even take into consideration the repercussions, the consequences. I hope they will do that before they finally vote on the bill.

Mr Gilles Bisson (Cochrane South): I listened quite keenly to the words from the member opposite, from the Conservative benches. He went on at length about the virtues of keeping one's promise once elected and how important it was to keep your word. Well, I have with me the Common Sense Revolution. I'd like to go through some of the key platforms and key promises that the government put forward, and let's just see if they kept their word.

In education, they said, "Classroom funding for education will be guaranteed," that they would not cut. Classrooms all over the province are having their funding cut. We're having teacher-pupil ratios increase, we're having dollars to the classroom cut, we're having student services cut. That promise has gone.

About health care you say: "We will not cut health care spending. It's far too important," and it goes on to talk about how you were going to protect health care. I can tell you, in the district of Cochrane you have cut \$4 million from institutional care and the system of health care in the district of Cochrane, with a \$400,000 re-investment. I say that is a cut of \$3.6 million. Is that keeping your promise? I would say no.

When we go through the rest of the Common Sense Revolution, we find other promises, that there is "only one taxpayer" and that they would not download on to municipalities. There's a whole section that says, "We will work closely with municipalities to ensure that any actions we take will not result in increased local property taxes." You have cut the transfer payments, sir, to every

municipality in the province of Ontario. The community of Matheson is seeing its transfers over the next two years go down by 30%. How do you think they're going to undo the damage you're doing? They're going to have to raise municipal taxes. I say that is another broken promise.

When the member of the government side comes in here and accuses northern members of pandering to the people of northern Ontario for the sake of political gain, it just goes to show that you are the most arrogant bunch I've ever seen in this Legislature, to come here and try to make that particular claim. We come from northern Ontario to represent the constituents, and what we fear is that the reduction of five seats will make that job much more difficult.

Mr Derwyn Shea (High Park-Swansea): I have to rise and say how pleased I was to hear the member for Halton North give an insightful, thoughtful presentation indeed on this bill that's before us now. I can understand the concern of members of the opposition. There are 27 members in this House who will not be returning, and I know it's painful to have to deal with that decision.

But let me pick up on the point that the member for Halton North was trying to make. I'll use my own riding as a case in point. In addition to the dollar savings and so forth that this bill represents — and that's not unimportant to the taxpayers of this province — it's more important that we understand the politics of our ridings and who represents whom. The fact is that in my riding, I have three members of Parliament who serve the same geographical area along with me, two Metro councillors, I have four city councillors, four public school trustees, one French trustee, two separate school trustees, for a total of 14 politicians. We may be the only ones who are committed to holding hands as much as we are. Frankly, the people in the community are getting sick and tired of not knowing who represents what area any longer. Neighbourhoods are being divided, and that's most inappropriate.

This bill tries to give some consistency. It says an area is an area, and within that you'll know who your representatives are, you'll know how to access the power and the responsibilities of government much more effectively. Surely this is the kind of bill that all members of this House and indeed all taxpayers would be applauding. It finally makes sense out of a process and a structure that right now are totally incomprehensible to everybody.

In the last seconds remaining to me, I did not even indicate the number of PUC delegates who are elected in the same area, which confuses the issue even further.

I think this bill is worthy of support. Congratulations to the Halton North representative.

Mr Rick Bartolucci (Sudbury): I'd just like to offer my opinion on the member's statement and his delivery. I want to congratulate him for, in a number of ways, illustrating what the Common Sense Revolution is all about. I don't agree with it and I will fight it, but I do congratulate him for telling the people of Ontario that once again the north isn't important.

The member is a very successful businessman who knows the importance of making sure that inclusion rather than exclusion takes place, because that's one of the keys to successful business. I also think it's one of the keys to successful democracy, so it surprises me when the member says this government, the Common Sense Revolution government, is giving the people of Ontario what they want. I only wish the member for Halton North was very familiar with A Voice for the North. I know he is familiar with the Common Sense Revolution, and in the Common Sense Revolution, no question, they said there was going to be a reduction of seats. But many people on your side of the House campaigned in northern Ontario and really promoted the document A Voice for the North. Nowhere in the document, absolutely nowhere in the document, was there any reference to the people of the north being denied the democratic right to fair representation.

I'm suggesting to the member that because of the natural size — and I know he understands that the riding boundaries are going to increase so the riding sizes are going to increase so the representation, because of distances, isn't going to be as great and as good as it is now — that he reconsider and, before this is passed, read A Voice for the North, in which you promised a bigger voice, not a smaller voice.

1750

The Acting Speaker: The member for Halton North has two minutes to respond.

Mr Chudleigh: I was interested in the comments from the member for Yorkview and the member for Sudbury, particularly the member for Sudbury when he said the north is not important. I think everything this government has done has shown that we believe the north is important. In fact, the north is a key to Ontario's success in the future with its richness in natural resources.

The member for Yorkview mentioned that representation by population somehow didn't hold water in Ontario quite the same way it does in the rest of the world. You can go back to the Magna Carta, where representation by population is the very essence of parliamentary democracy. It's important to our democratic process, and in my view, it is very strange to stand in this House and listen to someone argue against the concept of representation by population. The member for Yorkview did some of that.

The member for Cochrane South — I knew he was listening to my speech, listening very closely, because his mouth was open most of the time throughout — was informing me of the way we keep our promises. I know that the people of Ontario, when we go back to them with the five promises we made them during the last election, the promises of the Common Sense Revolution will be recognized by the people of Ontario. I feel very comfortable in returning to Halton North, to the towns of Georgetown and Acton and Milton, and describing to those people how we have fulfilled those promises.

I appreciate the member for High Park-Swansea's kind remarks regarding our simplification of the system.

Report continues in volume B.

LEGISLATIVE ASSEMBLY OF ONTARIO ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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Wednesday 4 December 1996

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Speaker
Honourable Chris Stockwell

Président
L'honorable Chris Stockwell

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 4 December 1996

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 4 décembre 1996

Report continued from volume A.

1755

FEWER POLITICIANS ACT, 1996

LOI DE 1996

RÉDUISANT LE NOMBRE DE DÉPUTÉS

Continuation of debate on the motion for third reading of Bill 81, An Act to reduce the number of members of the Legislative Assembly by making the number and boundaries of provincial electoral districts identical to those of their federal counterparts and to make consequential amendments to statutes concerning electoral representation / Projet de loi 81, Loi visant à réduire le nombre des députés à l'Assemblée législative en rendant identiques le nombre et les limites des circonscriptions électorales provinciales et fédérales et à apporter des modifications corrélatives à des lois concernant la représentation électorale.

The Acting Speaker (Mr Bert Johnson): Further debate?

Mr Mario Sergio (Yorkview): I'm pleased to join the debate on Bill 81 and make my contribution. Before I do that, I would like to say, since we are live, I was supposed to be in my riding at this time as there is a WCB meeting called by my NDP colleagues and I would have liked to be there as well. For those people who are watching, I hope to join them later on if I have time.

Mr Steve Gilchrist (Scarborough East): A problem of a southern member: You can go to meetings of the WCB.

Mr Sergio: I'm always very appreciative when members on the government side interject, because I can stand here and they can continue to make fools of themselves. I have absolutely no problem with that.

Before I make my comment, let me say I have no aversion to change. As a matter of fact, I think sometimes changes are not only good but important and necessary. The only problem I have, as do many others who have spoken before me, is that the bill as presented does not have any changes from the way it was introduced on October 1.

As I move along with my comments, let me throw a little challenge to the members on the government side and see if they can recall, if they have read the Common Sense Revolution at all, where it says that this is the Common Sense Revolution, no hidden agenda, no juggling, just the straight, unvarnished facts. I'll come back to that at the end of my presentation and I would like see which of the members sitting in the House this afternoon are able to tell me where they can find that particular phrase in the Common Sense Revolution.

I would like to give them time as well and go over the title of the bill as it was introduced in the House. I'm not going to say the unparliamentary word that it's misleading, because I know then I will have to retract that, but I would —

Mr David Turnbull (York Mills): That's not good enough.

Mr Sergio: That's not good enough? I'm glad they listened to that, because now that I've got the House leader's and the members' attention I would say please do yourselves a favour. I'm pleased that I have risen to the occasion and they have raised that point. I'm going to insist that you please go back and read the title of the bill. In case you haven't read it, I'm going to read it to you. This is what Bill 81 says:

"An Act to reduce the number of members of the Legislative Assembly by making the number and boundaries of provincial electoral districts identical to those of their federal counterparts...." So far, so good.

Mr Gilchrist: Absolutely fine.

Mr Sergio: Absolutely. What they have forgotten during six days of public hearings and all the debate in this House here: Not even once has any member of the government side mentioned the second part of the title where it says "...and to make consequential amendments to statutes concerning electoral representation."

We had clause-by-clause the other day. This government did not introduce one change, one amendment. If my word "misleading" was incorrect, I repeat: Read the heading of the bill again. It doesn't only stop at making the ridings the same as the federal ridings; that's fine and dandy. Now we are delving into that and debating that, and yes, the government is totally ready to move and approve it. But what about the second part of the title? Have you forgotten? Too bad. I saw Mr Harris before. I wish he were here. Perhaps he could jump in and say, "You're wrong." Well, if you're listening, wherever you are, Mr Harris, go ahead and read the second part of the title of your bill, where it says to make consequential changes concerning statutes and electoral representation. I think it's an abominable shame that the government introduced a bill that says to do certain things and they don't. They absolutely don't.

Mr Douglas B. Ford (Etobicoke-Humber): Is that the red book?

Mr Sergio: I'm coming to that and I love it. I've got the Speaker's attention. Thank you.

We had six days of public hearings on Bill 81. It was introduced on October 1. Hardly two months have gone by and they already want to have it approved. They are rushing it. They want to steamroller it. They want to have it approved.

Interjection: They're bulldozing it.

Mr Sergio: Thank you very much for reminding me of bulldozing it. That's right. It's wonderful what I hear from the members on the government side. We want to steamroller it. Let me say to the member, because I know that people from the north and from southeastern and southwestern Ontario are watching what you're going to do with this particular bill, that I think it is a total disgrace; it's a total waste of time; it's a total waste of money. I'm repeating what some people have said during the public hearings, although I share exactly the same sentiments, and I'll tell you why.

I have attended five full days of hearings. Do you know what I find most irresponsible and shameful? That we, a committee of 18 members and some six, seven, eight staff people, travelled five days and one day here in Toronto. This is what happened.

Mr Jean-Marc Lalonde (Prescott and Russell): How much did it cost?

Mr Sergio: Yes. My colleague asks how much it cost. This is the unfairness of the system. This is how unfair the government is being to the people of Ontario. Especially where those changes affect them in a very serious manner, how unfair it is.

We went to London, Ontario, and to Ottawa and to Timmins and to Sault Ste Marie, and I missed Dryden. Just to give you an idea, in London, with a committee of 18 plus some six or seven people on staff, we managed to listen to about 13 people all day long. Can you imagine that? Can you call that a fair representation? Eighteen members on a committee travelling from here to London to hear some 13 people? I don't have to tell you that among those 13 people were people belonging to the various political parties. If there were real people, they weren't there. That was on a Saturday. In Ottawa on November 8, again with a full committee of 18 people, some six, eight staff, we listened to approximately another 13 people. Was it worth it?

Mr Ford: Ask the people.

Mr Sergio: Yes, ask the people. Isn't that wonderful? I think we should ask the people where that makes a difference, the people up north. Isn't that something? We had one request from someone, some group in the north, that wanted to go and make a presentation in Dryden. They had to travel some 300 miles to get to the hearing and they needed some travelling assistance. We had to fight tooth and nail to get that particular family or group to go and make a representation to the committee 300 miles away. Finally, they caved in.

I find it incredible that we tend to get rhetoric from the government side that "We told you so." These are the members who went to those hearings and heard deputant after deputant saying practically the same thing: "We don't mind the changes, but this is not southern Ontario, this is not Metro, this is not the GTA. This is northern Ontario." We had 18 members here, and they are all here, most of them.

Just to refresh the memory of some of the members who were there and for those who didn't have the opportunity to be up north — and I have to confess to you that I enjoyed immensely travelling to those northern regions. It really enlightened me as to the huge, huge

space of the north and those northern ridings. I truly admire — it doesn't matter which colour they come from — the members who represent those very northern ridings, with the difficulties they have not only of the people getting good, fair representation, but the efforts those members must make on a daily basis, on a weekly basis, on a monthly basis, to try and give some representation, to hear some of those people in those most remote areas.

When we hear that some of the northern ridings are as big as from Niagara Falls or Windsor all the way to Quebec City, I wonder how we can not sympathize with the members who have to do that, service those areas on a regular basis. I wonder, if they are getting good representation now, with some difficulties, how they can get the same fair treatment, the same equitable representation when some of those ridings will double.

Let me say for the benefit of the members some of the comments of those people. These are not our words; these are the comments of some of those people there. This comes from the president of the Sault division, District 30, Ontario Secondary School Teachers' Federation.

"Why should this be a concern? After all, it is intended to create a cheaper" system, but is it better? "Is it more democratic? Or are these issues even being considered by this government?" From what we hear, they are not being considered by this government.

"The so-called commonsense but anti-social offensive in Ontario has become infamous for reducing all issues to budgetary considerations: whether this or that will save money from the treasury so that savings can be channelled into servicing the debt or paying for a tax cut. No other consideration is allowed; not the people's education, health, social services, not even, it seems, the political process. Nothing escapes this simple-minded exercise, no matter what the damage to the society."

One of the local MLAs said this. As stated by one MLA: "It doesn't really matter whether you're a Tory, a Liberal or an NDPer. The physical requirements of being in a number of places all at the same time cannot be solved, regardless of what party you're with."

Making the ridings larger simply exacerbates that problem. With Algoma going from 36,000 square kilometres to more than 70,000 square kilometres, it becomes one of the largest constituencies, certainly the largest with a highway network. Can you imagine? Can we envisage a riding of some 70,000 square kilometres?

It's too bad that the member from Scarborough leaves at the most appropriate time.

Interjection: It's not appropriate.

Mr Sergio: It's not appropriate. It's very true, yes indeed. I wanted the member to hear. It's not a slight, just some of the things that people up north have said. I'm going to read it for the benefit of the rest of the members.

"The reality of the north is vastly different from that of the south. There are no freeways, and there is no reliable air service." He says a correction: "What air service there is is reasonably reliable; there just isn't air service into many of the communities, period."

"There are enormous distances to cover if the citizens are to be properly represented. A visit to the communities

in one's riding can take literally weeks to accomplish, and add a northern winter" to the mix to further complicate matters, and it takes about 12 hours to cover the distance from one end of Algoma riding to the other on a good day. Certainly we have to bear that in mind, we have to take that into consideration when we deal with it.

As we have said, the members on this side here, sure, some changes are good, but we also said that the representation of the north must be preserved.

"Unlike their southern counterparts, our northern members outside the few larger cities have to drive all day to attend events in their riding or to meet with a group of concerned citizens.

"We in the north often get the impression that as far as most people at Queen's Park are concerned Ontario ends somewhere just north of Highway 7. This is a very narrow and parochial view of the province, but I feel it's alive and well in this piece of legislation."

As you are well aware, "the roles are not the same." I'm saying this because we heard some of the comments of other members that the people are the same; it's just north and south. The people are the same. The issues are the same. I just want to read to the House some of the comments that the people from the north are saying to show: "We are not the same. We don't have the same problems."

1810

"The roles are not the same. MLAs deal with the micro-issues," rather than the macro. "They deal with the municipalities" and many more personal matters and local issues than their federal counterparts, including family support, social assistance, day care, housing, OSAP for students, birth certificates, Workers' Compensation Board, environmental issues, drivers' licences, etc.

It concludes with this: "This bill would redistribute the power that those seats represent while disfranchising the voters of the north. This is a refutation of the claims of inclusion made by this government when it came to power. The Premier says this bill constitutes leadership by example, but it really seems to me an example of a naked power grab." We have to agree.

"The real issue would seem to be, as one of the Liberal MLAs said, that it's about downsizing democracy: 'All you want to do is eventually replace all of us with 1-800 numbers.'

"Well, there's a price to democracy. Sometimes the price is paid with lives. We've just finished commemorating the sacrifice by Canadians in two world wars to protect democracy. At other times, the price of the democracy is much less dramatic. In fact, it may just come down to dollars, and this is one of those times" — unfortunately.

We heard practically the same litany wherever we went. In the city of Timmins, again it was a full committee of members of this House, plus staff. We flew. Some of the presenters were hoping we would find a big storm to meet the members of the committee, and I have to say we did. We landed in a terrible snowstorm and of course there was a big hush in this small plane. That gave me one particular feeling. Not only do the members of the House who come from the north do that on a daily or weekly basis; it is that not even that particular service is available to most people in those communities.

What it said is that you can only appreciate the huge distances, the huge difficulties that those people in the north live on a day-to-day basis. What we are taking for granted in the big cities, in the GTA, down here in Metro, they don't even dream of. In most of the northern areas, they are lucky if they have one telephone line, and if they have to make a long-distance call they cannot go beyond 32 kilometres.

I don't have to tell you the difficulties those people have. They have harsh weather conditions for practically six, if not eight, months of the year. Roads are anything but highways, as we call it down here. Service, at the best of times, is either unavailable or nil. Motor transportation is practically non-existent. Rail transit has been curtailed to a snail's pace, and still we keep insisting that it doesn't matter, that those people living in northern communities can still be represented the same way because today we have better communication. Can you imagine? Some of those people don't have a TV set, neither colour nor black and white. They don't have fax machines, they don't have computers. They would be lucky if they could see their member once a month.

These are the things we heard up north. These are the things in the heading of the bill that the bill should be taking care of, to make those changes to those statutes and those representations.

We know, we don't need any other member to tell us, that there is a difference between north and south. I used to think that Barrie was up north.

Mr Bud Wildman (Algoma): Well, it is.

Mr Sergio: Yes, but in terms of the northern people, Barrie is way, way south. I heard also that the north is so huge that it's delineated on a different scale. I wonder how many students, how many people, how many members on that side are familiar with that. It just boggles anybody's mind that a riding can be, let's say, 300 kilometres long, or that it takes 12 hours to travel, one way, from one end of the riding to the other. That wouldn't be too bad if you had, say, maybe a nice two-lane highway. But we know better. There are too many isolated communities that are lucky if they have four, five months a year with a good, clean gravel or dirt road.

Those are the things that the bill does not take into consideration. Those are the things that the members of the House are not talking about. They think: "Oh, everything is fine. We haven't heard anybody complaining down here." I forget which member said, "No one has called me or no one has come into my office who doesn't like it."

With all due respect to every member of the House, we may not get any complaints individually in our office — I didn't have any complaints myself in my office, and I am one of those few members who's gaining some 20,000, 25,000 people. It's okay. No problem. We'll survive. I'll manage. I will serve. But that's composed within, I don't know, maybe five, six square miles. On a good day I can walk from top to bottom and east to west of my entire riding. I can cross my entire riding by walking.

It is unthinkable that we cannot stop and think, "How the heck are those northern members who will have to represent those people up there going to manage to visit

some of those people, represent them on a number of issues, attend some of the functions" — and don't we know how much we want to attend some of those local functions: Christmas parties, birthdays, anniversaries? Wouldn't that be nice? You know, we scramble to send out cards and attend and make phone calls.

After the two-day trip up north, I have really developed a very sensitive view of how harsh is the north and how difficult it is to service it and how those people must endure. They must think that we down here really don't care. It must come down to exactly that. You know why? It's got to be so difficult for a new person who wants to break into the political arena in those areas up there.

Time, unfortunately, is not on my side. My time is almost up, but let me throw this in. For anyone who may feel unsatisfied with his or her representation and want to break into the political arena, it will be almost impossible. It will be impossible financially and otherwise, which means that whoever the incumbent up there is, they may be there for a heck of a long time. That may be the reason the Conservative government, Mr Harris and Mr Eves, have given up totally, completely on the north. Otherwise, let me tell you, yes, they would have allowed the total 15 numbers of representation.

1820

I think the north does need representation. I haven't got time to read the quotes by the various now ministers, from the Premier, from Mr Runciman, from Mr Villeneuve, when they said: "Don't touch the ridings in southern Ontario, the rural ridings. Don't even dream of touching of them." So what happened today? Yes, we are losing some ridings down there, so why don't they speak for those people nowadays?

In 57 seconds, what else can you say? And I had prepared myself for three hours. But let me end on this note, and I'm addressing myself directly to the members of the government side: This is not the best gift you can give to the north at this particular season. At this time of the year, they expect some compassion, some understanding, some good common sense. The people up north don't have a TV to watch one of our debates. Can you believe that? They are missing all of that. In certain areas they don't have radios to pick up the comments we make down here; a lack of newspapers as well. I would say to the members: Think about it, and I hope you will accept at least some of our amendments, which you have refused.

The Deputy Speaker (Mr Gilles E. Morin): Before we go to questions and comments, I would just like remind the House that when we refer to a member we should not refer to him by name. Here's why: We're talking to about 400,000 people across Ontario. If you say "Noble Villeneuve," it doesn't mean anything. But if you say, "The member for Stormont-Dundas-Glengarry & East Grenville," it does mean something for the person who lives in that area. I know we all make the same mistake, but please, if you refer to the Premier, it's not "Mike Harris," it's the Premier of Ontario. If you refer to the Minister of Labour, it's not "Elizabeth Witmer," it's the Minister of Labour. We just have to think about it.

Ms Frances Lankin (Beaches-Woodbine): On a point of order, Mr Speaker: I just want to say in defence of the

member for S-D-G & East Grenville that if you said "Noble Villeneuve," I am sure, for the constituents of his riding, it would mean something to them.

The Deputy Speaker: I agree with you, but at the same time, there are procedures that exist that we have to follow.

Questions or comments?

Mr Wildman: Thank you very much, Mr Speaker, for your advice and counsel. I would just say in regard to the exchange between my friend from Beaches-Woodbine and yourself a moment ago that perhaps, considering the backflip the member for S-D-G & East Grenville has made on this issue, they may not think he means much any more. But that's another matter.

I just want to comment on the remarks of the member for Yorkview. I want to commend him for his attempt as a member from an urban Toronto-area riding to come to grips with the concerns of rural and northern Ontario. I really commend him. I would say that most of my constituents — not all, but most — do have radios and TVs, but they may not have cable television. For instance, where I live, I can't get cable television. They may not get the parliamentary channel. In my home, I can't get the parliamentary channel. You're correct in that regard.

I think it's significant that the member for Yorkview, as a member from an urban riding, who I'm sure works very hard for his constituents, recognizes that while he may have many, many more constituents in his riding, the problems for rural members and northern members are quite different. He said he could walk around his riding easily. Well, it would be quite a feat for someone to walk around my riding. It would take some months, I would think, for me to do it. At any rate it would take me a day now, with the current boundaries, to drive from one end to the other and it would take somewhere close to 12 or 14 hours with the new proposed boundaries. That's the difference.

Mr Doug Galt (Northumberland): I was quite taken by the presentation of the member for Yorkview, particularly his last few comments. I actually came to, and I was quite startled to find that the legislative channel is not available in the north. I guess they don't have things like cable up in Thunder Bay or Sudbury or Sault Ste Marie.

Mr Wildman: Not where I live.

Mr Galt: Ontario must be far larger than I thought it was because the satellites can't even reach up there, the Q band satellite, the satellite dish. A lot of people would be able to get the legislative channel in the north, I'm sure. I'm just surprised that somebody from Toronto wouldn't realize those availabilities in the north.

I'm reading here that one of the members of the Liberal Party can't believe they can't even get cell phones up there, but she thinks they will be able to get them within another couple of decades. I certainly hope that some of the centres like Thunder Bay will be able to use a cell phone in a couple of decades. I can't believe this kind of thing is in Hansard and that this kind of comment would have been made about the north. Certainly things are much better in the north than is being presented here.

I think it's interesting to note the concerns that are being expressed here about numbers. If the previous

government had realigned the boundaries consistent with the previous numbers we would have had 151 members in the House at this time. We're not only cutting from 130 to 103, we would have been at 151, and for the life of me I don't know where we would have put 151 members in this chamber. We're looking at a 30% reduction in numbers, and I think that's very significant. We in this government have been setting an example of reduction and looking after our expenses.

M. Lalonde : C'est vraiment plaisant de voir qu'un député du Toronto métropolitain peut reconnaître les difficultés auxquelles les gens du grand nord sont appelés à faire face tous les jours, surtout lorsqu'on reconnaît que les services ne sont pas aux portes des gens du grand nord. Je veux le féliciter à ce moment-ci d'avoir reconnu qu'un bureau de député dans la région ou dans sa circonscription est très important puisque le transport en commun n'existe pas.

Si en ce moment le Cabinet du gouvernement pouvait prendre le temps de voyager et se rendre dans le grand nord, il pourrait réaliser qu'il est impossible d'essayer de réduire le nombre de circonscriptions à 103 et d'avoir une moyenne de 107 000 de population.

Donc ce député du grand Toronto, métropolitain reconnaît même, il l'a mentionné, qu'il peut marcher d'un bout à l'autre de son comté. Je l'ai mentionné plus tôt. Actuellement, comme le député du grand nord vient de le dire tout à l'heure, ça lui prend 12 ou 13 heures pour voyager d'un bout à l'autre de son comté.

On reconnaît que des personnes comme mon ami le député de Kenora — heureusement qu'il détient un avion. Autrement ce serait impossible pour lui. Ça lui prendrait des semaines pour se rendre d'un bout à l'autre de son comté. Il m'a dit l'autre jour que pour lui, partir de Toronto et aller en Floride, c'est plus vite que se rendre d'un bout à l'autre de son comté.

Encore une fois je veux féliciter mon collègue le député de Yorkview pour les points qu'il a soulevés.

Ms Lankin : I'm pleased to respond to the member for Yorkview and his comments. I know that the members for Cochrane South and Cochrane North are watching this and that they would agree with my comments in response about northern Ontario.

I was stunned, floored, to hear the member for Northumberland, in response to the member for Yorkview, dispute the fact of the reality in many communities in northern Ontario outside of the urban centres, like Sudbury and Sault Ste Marie and Thunder Bay, that there is not access to cable, that there is not access to the parliamentary channel, and the member from one of the Scarborough ridings heckled and said, "You know, there's satellite." These people across from here really amaze me. They think everybody has satellite dishes, that everybody has expensive technology and all the toys you may have — that you may have bought from your Canadian Tire store, I don't know — in your backyard, but certainly many citizens in this province don't have access to them.

1830

The member for Algoma lives just 20 miles outside of the city of Sault Ste Marie. He told you directly that he does not have cable access to the parliamentary channel.

For the member for Northumberland to stand up and dispute that when northerners are telling you about the lack of access to watching the parliamentary channel in the north is beyond belief.

I think the member from Yorkview, like many of us in southern urban Ontario, strives to understand what the challenges are. I would say to the member from Northumberland that we don't know. If you don't live it, you don't know it. I certainly am not aware of all those challenges. But having had the opportunity, as a minister of the crown, to travel frequently in northern Ontario to meet the people, to hear from them directly, I understand the immensity of the problems. I can tell you that as this committee travelled, northerners told you this bill was not good for the north. I just wish you would listen.

The Deputy Speaker: The member for Yorkview, you have two minutes.

Mr Sergio : I'll take the two minutes to say thank you to all the members who have so kindly contributed to the presentations here, especially the members for Northumberland and Preston and Russell, my colleague here, and the members for Algoma and Beaches-Woodbine.

We hit the road to listen to the people. That was the intent. We are in the House commenting, making our presentation strictly, solely on that. We have notes and presentations. Those people have said: "Look, this is our situation here. You are cutting our services and now you are cutting our representation as well. These are our living conditions here up north. It's not like the south." My colleague said before: "Sure, you can walk outside and get on a bus. You can walk outside and walk to a store. You can go to a clinic within walking distance. You can pick up the phone and call for assistance or speak to an assistant of a representative, if not to the representative himself." Up north many areas don't have cable TV, don't have telephones. As I said before, one of the deputants said: "I'm only able to get one line. I don't have a hold button that I can go to the second line. We do not get a second line. We cannot make a long-distance call to my brother's or sister's family, to friends 50, 100 miles away — not beyond 32 kilometres." Those are the things I think we should understand, and I hope they will take that into consideration when this comes to a vote. Thank you.

The Deputy Speaker: Further debate? The member for Algoma.

Mr Wildman : I'm pleased to be able to participate in this debate on Bill 81, which has been dubbed the Fewer Politicians Act by the government.

I must say it is rather frustrating, as a member representing a large northern riding, to have to sit and listen to the debate and hear the gap in understanding that we get from the other side. The member for Northumberland just demonstrated it once again.

Then the member for Halton Centre made the comment that the north is a good place, that it's a beautiful area, that there's not much crime and so on —

Mr Terence H. Young (Halton Centre): And not much traffic.

Mr Wildman : — and not much traffic. That's all true. That's one of the reasons I live in northern Ontario. I like northern Ontario. It's a good place to live, and most

northerners would say that. We don't expect to have all the services that you have in a large urban centre, obviously, but we do expect in a democracy to have the same opportunity to have input and influence what happens in the Legislature that passes laws that govern our society as people who live in other parts of the province. It's just basic to a democratic system.

Unfortunately, trying to explain this to the members of the government party has been like talking to a wall. It's impervious. They don't hear anything. They aren't interested. Some of them even treat the whole thing as a joke. Those who do respond often respond in a most inappropriate way. Some of them who are trying to be sympathetic — very few — see the argument simply as MPPs concerned about whether they're going to have too much work to do under new boundaries. That's not what this debate is about, and it isn't about whether an MPP has to travel a long way or whether an MPP has the capacity to do the job. This is about basic democracy.

The members across the aisle have said repeatedly in this debate, and when the committee went out around the province briefly to listen to the concerns of the people, that we must have representation by population and we must have redistribution. I want to make crystal clear that there is no one on this side of the House who has disputed the need for redistribution. We have never questioned the need to ensure that areas of the province that are growing in population should have more representation. When we say that, though, the members on the other side almost invariably say, "But you're talking about increasing the size of this Legislature to 150 or so." That's not what we're talking about either.

Mr Gilles Bisson (Cochrane South): On a point of order, Mr Speaker: I would note that the government members are not keeping the quorum here in the House. We don't appear to have a quorum.

The Deputy Speaker: Would you please verify if we have a quorum?

Clerk Assistant and Clerk of Committees (Ms Deborah Deller): A quorum is not present, Speaker.

The Deputy Speaker ordered the bells rung.

Clerk Assistant and Clerk of Committees: A quorum is now present.

The Deputy Speaker: The member for Algoma.

Mr Wildman: As we all recognize, it is the responsibility of the government party to maintain a quorum in the House. I'm glad that my colleague was able to encourage members to come out and to listen, and I hope they will listen.

As I was saying, invariably when it's suggested that there should be redistribution and that there needs to be an increase in the number of seats in areas that are growing in population, the government members say: "You're talking about increasing the number of seats in this Legislative Assembly by so many that it'll be too crowded. We'll have far too many and it doesn't make sense. You're talking about 150 or so." We have never suggested that. In every redistribution that I am aware of in the time that I have served in this assembly there have been limits put, and it's quite conceivable that the government could say, "We'll have five more members as a limit. That's it," and then divide it up equitably. But

you can't simply divide the number of ridings, whatever that number is, on rep by pop pure and simple, because it doesn't work.

1840

Mr Bisson: They did it in my speech.

Mr Wildman: Who?

The Deputy Speaker: Address the Chair, please, the member for Algoma.

Mr John R. Baird (Nepean): Don't heckle your own member. It's pretty sad when you heckle your own members.

Mr Wildman: The members across the way really don't take this too seriously, and they didn't when we went in the committee hearings.

Mr Baird: Unlike the Liberals. They take this very seriously.

Mr Wildman: Well, perhaps those of us from northern Ontario take it seriously. I hope people from rural southern Ontario take it seriously. It's been suggested that we're just whining, I guess. The member for Scarborough East even suggested at one point that downtown Toronto is losing more seats than are being lost in northern Ontario so therefore we don't really have an argument. That is so ridiculous a comment. To suggest that when you lose five out of a total of 15 that's equivalent to the loss in downtown Toronto — sure, they are losing seats in downtown Toronto because suburban areas are growing, but it isn't equivalent.

In northern Ontario the number of seats is being decreased by one third, 33%, and across the province they're being decreased about 20%.

Mr E.J. Douglas Rollins (Quinte): Even 50% in my area.

Mr Wildman: Well, then I'd like to hear you in this debate defend your area. To sit there and acquiesce to the changes that will mean that rural Ontario will have less representation is to abdicate your responsibility as a member of this House representing your constituents.

Government members have said: "Wait a minute. It really didn't make much sense for us to have hearings or even to have this debate because we as members of the Conservative Party promised this in our Common Sense Revolution document. Everybody knew we were going to do it. We consulted with people in the election campaign and therefore it should be acceptable and everybody should just live with it."

What they promised in the Common Sense Revolution was that the provincial government would mirror the federal boundaries. It's been debated and mentioned in this debate a number of times that this doesn't make any sense. The guarantees to PEI, to Quebec, to the other maritime provinces, to the Northwest Territories and the Yukon in the House of Commons have absolutely nothing to do with the number of seats that you should have in the assembly of Ontario. It makes absolutely no sense.

No other province does this. There are four members of Parliament in Prince Edward Island and no one, even on the Conservative side in this debate, has suggested that if they're going to have a Legislative Assembly in the province of Prince Edward Island they should only have four members. They have 27 members in the Prince Edward Island Legislature. I don't know whether that's the right size or not.

Mr Bisson: They just reduced by 15%.

Mr Wildman: They've reduced from 32 to 27. I don't know whether it's the right size or not, but no one has suggested that you should only have four simply because there are only four in the House of Commons.

I don't understand why this government says they must keep the promise because it was in the Common Sense Revolution.

Mr Young: Integrity.

Mr Wildman: The member says "Integrity." I will say to that member that he should visit some of the classrooms of this province and then talk about integrity, talk about what this government is doing to classroom education. When the Conservative Party ran in the election campaign, it said it would not harm classroom education. We know that the classrooms in this province have gone up in number. There are more kids in each classroom. There is less —

The Deputy Speaker: Keep on topic. We're not talking about education.

Mr Wildman: We are talking about integrity and keeping promises. That is one of the reasons presented by this government for this bill. I'm just pointing out that they haven't done the same in other pieces of legislation and other commitments that they made in the election campaign. I think it's quite relevant and on topic.

Mr Baird: You want to challenge the Chair?

Mr Wildman: No, I am not challenging the Speaker. I'm debating with you.

The Deputy Speaker: Order. I would ask you to be on topic, and whenever you address the House, you address it through me.

Mr Bisson: He is on topic.

Mr Len Wood (Cochrane North): But he's being heckled by the Tories.

The Deputy Speaker: The member for Cochrane South, the member for Cochrane North.

Mr Wildman: Thank you for your helpful advice, Mr Speaker.

The government has not kept its other commitments. The government has cut special education programs, the government has not kept its commitments with regard to health care, yet they say they must keep this commitment.

The government has said there was an independent federal commission that had consultations and came up with this proposal. We've already said that of course they had to take into account other considerations in other provinces that have no relevance in Ontario. But even be that as it may, it is a heroic assumption for the Conservative government in this province simply to say that because a federal commission came up with a proposal, it was a good one. There are very few other federal initiatives that this government just accepts holus-bolus as if they're good and right.

How does one deal with the complete lack of communication and understanding on the part of the government about northern Ontario? It was suggested in committee that we should provide some sort of formula, suggest a formula for the differential: What should be the range in the number of people per riding? When we didn't provide it, the government members said, "You're not making any suggestions." Then at the same time it

was clear — and I must give credit to the government members that they made this clear — that they said: "We made a commitment before the election. It doesn't really matter what anybody tells us, we're going to do it."

It was even suggested by some of the government members on the committee that geography is irrelevant. They didn't use the word "irrelevant" but that's what they meant. It was suggested that it is completely unfair for one riding to have 100,000 people and another riding to have 50,000, and I understand that argument. I understand the argument of one person per vote, that each vote should be equal in Ontario. I understand it. But no other redistribution has worked that way — never in Ontario.

The member for Mississauga South in previous debates on redistribution in this House has talked about the need for effective representation, and frankly, I agree with her. A couple of months before I arrived in this place there was a commission that was set up by the then government of Premier Bill Davis. The commission was headed by Dalton Camp. It had a representative of the federal CCF-NDP and a representative of the Liberal Party on it. They travelled around the province and they had consultations about redistribution and what was fair in terms of a differential between rural, northern and urban centres.

1850

That commission reported and said, "We must do everything possible to get as close to representation by population as possible, but we also must consider community of interest and geography," and in every redistribution since, that has been the approach. The member for Halton North seems to discount that. I don't know why, if it was good in other redistributions, we shouldn't be considering community of interest and geography in this redistribution.

I'm not just talking about northern Ontario; I'm talking about rural Ontario which the member for the united counties and East Grenville defended in this House when he brought forward his private member's bill in 1992.

If it takes an urban member — driving through much heavier traffic, I concede — half an hour to get to a meeting in that constituency, but it takes a rural member or a northern member five or six hours to get to a similar meeting, through less traffic but over poorer roads and poorer conditions —

Mr Bisson: And longer distances.

Mr Wildman: — well, if it takes five or six hours, it's because it's longer distances — then that's something that has to be taken into account. To suggest, "You don't need to do that; you don't have to go to the meeting, you can use new, modern methods of technology for communicating with your constituents," well, all of us want to be as up to date as possible, but I have yet to figure out how I can fax myself to a meeting.

All of us recognize, as members of the assembly, that we have to attend community events, and more important than that, meetings with constituents about issues. That's part of our job. That entails travelling. None of us in the north complains about the travel, but we're just saying it has to be taken into account in determining an optimum size for ridings. And it's not just us who are saying that, our constituents are saying that. Our constituents said that in the committee. It's not about the amount of work that

an MPP has to do. That's not the issue. The issue is whether or not the constituents in a riding get proper representation by their members and whether they get adequate representation.

As an example, I received just yesterday a letter from Ryan Connolly, the president of the Algoma Federation of Agriculture. It's addressed to the Premier, re reductions in the number of MLAs in northern Ontario. He says:

"We do admit that the demonstration of removing 27 seats by truck from in front of the Legislature is a very impressionable way showing cost savings. We wish however to implore that there are much wider ramifications than can be shown by a good afternoon's media coverage.

"The gross cost cut will clearly be matched by a diluted service of MPPs to constituents. It will also increase the expenses of the remaining MLAs in their efforts to reach clients. This is especially so in northern Ontario, the part of the province hardest hit on a percentage basis by your planned seat reductions.

"We will lose five out of 15 seats. Some of the remaining ridings north and east of the North Bay-Parry Sound area will have excessively large geographic areas. For example, the Algoma riding would extend from White River to Killarney" — actually, it's from Manitouwadge to Killarney, but it's in the same vicinity; it's only 60 miles farther — "That is a full day's drive. The MLAs are involved in the delivery of many social programs. This will undoubtedly suffer in the north.

"It can be argued that each riding should represent a similar number of people. However that would result in the GTA having such a dominant number of seats that the northern voice would be insignificant. This would be a very regressive step, considering that the majority of the natural resources that have been essential for the development of Ontario's economy come from the north.

"The northern voice must be heard and in sufficient numbers in order that Ontarians who gain both their livelihood and live here can adequately express what is an essential voice for the future of this province.

"Yours truly,

"Ryan Connolly, president, Algoma Federation of Agriculture."

I don't think anyone would consider Mr Connolly, whom I've known for a number of years, as being a partisan of my party. He's representing the agricultural community in our part of the province and he's concerned that they will not get adequate representation.

The suggestion has been made, and this really, frankly, perplexes me, by members of the government party that if the federal MPs can serve ridings of this size in northern Ontario, then the MPPs should. Even some MPPs from the Conservative Party have said, "Well, if you don't like it, get out of the way and let somebody take over the job who can do it." No one has ever suggested, I would say in honesty, whether they have supported me or not politically over the last 21 years in Algoma, that I shirk work. I was quite nonplussed by that suggestion. The point that that ignores and that many members on the other side don't understand is that the

northern MPs were not happy with the results of the federal redistribution either.

I pointed out in this debate before that Réginald Bélair, the member for Cochrane-Superior, and Mr Thalheimer, the MP for Timmins-Chapleau, both appeared before the committee and said that the ridings were too big, that geography hadn't adequately been taken into account. To suggest that if those federal MPs are concerned, we should not be concerned I think is to ignore the fact that they understand the geography of the area because they've had to serve it.

The Conservative members of the committee who travelled to the north I don't think heard what was being said to them. I don't understand that. I don't understand why they came. I guess they came simply because somebody in the whip's office said, "Well, we need some members up there. Better go and attend the hearings," but their minds were elsewhere. On those few occasions when they responded to representations that were made that were critical of the redistribution they tended to get quite angry at some of the people who were criticizing the proposed boundaries.

I've already read into the record a letter I received from a constituent, Edward Sadowski of Desbarats in my riding, in which he talked about MPPs Gilchrist and Young, where he says, "MPPs Gilchrist and Young of the committee failed to understand that my complaint was with the process."

Then he says further on: "The Premier of this province states that he wants to consult with citizens of this province. Yet when I accept his invitation, my access to important information is restricted. When I point out these problems to committee members, I am verbally chastised for doing so. The government members only offer asinine explanations which are totally unrelated to what is being discussed.... These arrogant and insulting statements coming from the government members clearly show total disrespect by the government to the citizens of this province and it calls into question the Premier's true intentions regarding the process of public consultation with the citizens of this province."

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I regret to say that I think Mr Sadowski is right when he talks about the committee process. The committee process was not one that was intended by the government to actually listen to people's concerns and then to respond by making amendments. There was no intention to make any amendments. We continued to hear the mantra that "this had been stated in the Common Sense Revolution document; everybody knew we were going to do this and therefore it must be done without any change or modification."

I reiterate that this is not about my concern about whether I'm going to be able to travel around a riding and have any time at home. That's not my concern. It may be my family's but it's not mine. My main concern is the fact that I don't think I will be able to do the kind of job that every member of this House wants to do for her or his constituents if it takes the kind of travel that it's going to take to service some of these ridings. The new riding of Algoma-Manitoulin is not as big as some of the others that other members are going to face.

Mr Bisson: Timmins-James Bay.

Mr Wildman: Timmins-James Bay.

Mr Michael A. Brown (Algoma-Manitoulin): Kenora.

Mr Wildman: Kenora-Rainy River. Kenora-Rainy River is one third of the land area of this province. It is completely beyond me how anyone can't understand the logistical problems in that kind of situation. It doesn't matter what the party is of the member, whether the individual is a New Democrat, a Liberal or a Conservative, it's going to be very difficult. To suggest it's going to be very difficult for members who have a lot of constituents, a much larger number of constituents, may be true, but it is a very different kind of difficulty.

To suggest you can communicate by fax, you can communicate by telephone, you can communicate by the Internet, is to frankly ignore the fact that we do not have digital technology in most parts of the north. We may at some point — I suspect we will — but we don't now. That was the problem Mr Palladini had when he suggested you could just use cell phones. Cell phones don't work in my riding. They don't work between Sault Ste Marie and Sudbury and they don't work north of Sault Ste Marie. That is my whole riding. Sure, if you get into the immediate vicinity of Sault Ste Marie they work, but Sault Ste Marie isn't in my riding. It's a silly argument anyway, so why get into it?

The point is every redistribution that takes place when there's a new census, up to now, has taken into account growth areas in the province needing to have more representation. These redistributions have involved input from people across the province and they've taken into account community of interest and geography. This is the first one that has not taken those latter two into account. You can't tell me that the feds did it, therefore they took it into account, because I tell you emphatically the federal government did not take it properly into account or they wouldn't have ended up with ridings of this size in northern Ontario. Frankly, I think that may be true in some parts of southern Ontario and rural areas. I don't know that, but I think it may be the case.

Why do we compound the errors of the federal Liberals by copying them? I don't understand it.

The Acting Speaker (Mr Bert Johnson): Questions or comments?

Mr Gilchrist: I'd like to respond to the member for Algoma and his comments about Bill 81, the Fewer Politicians Act. Let me just start by saying I agree with him completely, and I appreciate that on the road and back here he has taken the position that redistribution is an appropriate thing to do. He has stated here very directly a few minutes ago that there should be an increase in the number of seats that addresses the extraordinary growth that has happened in certain portions of the province. I don't know if he named them, but the 905 area is the euphemism that has been given to those high-growth areas.

However, that's where we deviate. While he accepts the premise that those areas are extraordinarily underserved today, he then has difficulty translating that when we apply across the board, across all regions of Ontario, the same reduction, after you've taken into account the

growth, the reduction obviously is not equal between north, east, south and Toronto because, as you've just said, some areas have grown at a different rate since the last census, since the last redistribution. Otherwise the reduction would be identical. But since population growth is not identical, the reduction is not identical. Toronto loses eight seats of its 30. The east loses five seats. Even Windsor loses one of its three seats.

The reality is that every person in this House will be called upon to work harder and to work smarter. The member perhaps should better clarify what he means by the north, because again the urban centres were not seen as a cause for concern, so that leaves us with only four ridings, and throughout all of this debate it is centred on four of the proposed 103 ridings.

We heard the problems. We said there will be remedies. There is technology that will help address that. But the bottom line is we're the provincial government for all the province and we have to pass bills that address concerns across this province.

Mr Michael Brown: I always appreciate the comments of the member for Algoma. One of the things I think the member for Algoma probably meant to say and hasn't had the opportunity yet in his speech, so I'll prompt him a little bit, is when we were in Sault Ste Marie, we had a very good presentation on the political science of all this. We had a presentation that said what this really is about is to make the executive, the cabinet, the Premier's office more important and the Legislature, the people's representatives, the people who are here in this Legislature less important.

That's really what it's all about: it's about growth of bureaucracies; it's about bigger bureaucracies; it's about 1-800-NOBODY-HOME numbers. We know that throughout this province now the services that you expect from government are just not there. It is increasing the need for representation at the local level because you just cannot get answers from the ministries of the government any more. Therefore, the people need to speak to their local representative and we spend much of our time, a great deal more of our time, I should say, lately, intervening on behalf of the family support plan and many other bureaucratic bumbles that the government has come forward with. My office, for example, is far busier.

The second point that I think the member for Algoma should think about — and one of the things is we don't have that many politicians in our part of northern Ontario. Much of the area doesn't have any politician at all but the provincial member. We are it in terms of talking. There is no local council. There are unorganized areas and those areas call us. They don't have anybody else to call.

Mr Peter Kormos (Welland-Thorold): I should indicate that here we are, at 7:08, in rotation. I understand a Liberal member is going to be speaking, but then Ms Churley from the riding of Riverdale is going to be speaking and I'll be addressing this issue later this evening.

Obviously there are more than a few issues of concern here. One is very much the northern issue. That has been addressed by several of our members very eloquently, most recently by Bud Wildman, the member for Algoma.

But there are issues in other parts of the province, there are issues down in the Niagara region that I'm going to be speaking to later this evening.

One of the problems here is I'm not sure that the government members, or the majority of them at least, understand the role of the MPP in the same way that folks down in Welland-Thorold have as far back as the days of Ellis Morningstar, a long-serving Tory member succeeded by Mel Swart. Ellis Morningstar set a standard for constituency work in Welland-Thorold that Mel Swart built on, amplified, to an exceptional level and that I've been struggling, I tell you, to achieve.

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I've got a feeling that a whole lot of the new members here don't understand that level or type of service and intimacy with the riding and with the constituents in their riding. I've got a feeling that the government members have been prepared to simply dismiss the north. They don't understand it, to begin with. They don't understand the distinctiveness of it, the fact that it's a special part of Ontario, very different from southern Ontario. I've got a feeling that some of these members think that you've gone up north once you've gone to Barrie, and that's a problem that a whole lot of southerners have.

I'm looking forward to the chance to address that. I'll be listening carefully to what Ms Churley has to say, and I know you will, along with all the people watching on their television sets at home.

The Acting Speaker: Comments and questions? The Chair recognizes the member for Scarborough East.

Mr Gilchrist: I appreciate the opportunity to share a few more observations arising from the comments made by the member for Algoma.

Mr Michael Brown: He's been up, Bert.

Mr Bisson: He's been up. You can't comment twice.

Mr Gilchrist: My apologies, Mr Speaker.

Mr Bisson: On a point of order, Mr Speaker: I would ask for unanimous consent to give the member for Scarborough East the opportunity to respond in another two minutes.

The Acting Speaker: Is it agreed? No, I'm sorry, it is not unanimous. The Chair recognizes the member for Nepean.

Mr Baird: I listened with great interest to the speech from my friend the member for Algoma. We always do enjoy his remarks. I was surprised he didn't mention something in his speech. I'm surprised he didn't mention the red book, because in the red book they talked about public cynicism and they stated: "Public cynicism is not without foundation. When many promises are made and few are kept, the public becomes cynical."

This was a clear promise made in the last election campaign; in fact it was made a year before the election was even called. It was not something that was dreamed up on a campaign bus, written on the back of a cocktail napkin, which is the stationery of choice for the campaign manifesto of some of the members opposite, and it wasn't reflected in that at all.

The red book also went on to state, "When government talks about restraint but does so little in its own backyard to demonstrate it, the public has a right to charge 'hypocrisy.'" Just to show how non-partisan this debate is, I

agree with Lyn McLeod's statement in the red book when she said that. Regrettably though, when they talked about in the Liberal red book, and I was surprised the member didn't mention it in his remarks, "Smaller government starts at the top," they talked about cutting the number of political staff and reducing spending at Queen's Park, cutting services to MPPs. I know the members are concerned about services, but the Liberals had planned much the same thing with respect to reducing the number of newsletters they could send out.

I think the public would have every right to say that if you're going to reduce public expenditures, if you're going to try to get hold of taxing and spending and debt, if you're going to try to create more jobs and balance the budget, restraint would start at the political level. It would start with a smaller cabinet, with a smaller number of parliamentary assistants and with a smaller Legislative Assembly. That's something that certainly we on this side of the House very much agree on, that it is important to ensure that public cynicism declines and ensure that people keep their campaign commitments, and we're very pleased to do so in this piece of legislation.

Mr Toby Barrett (Norfolk): Leading by example.

The Acting Speaker: The member for Algoma has two minutes to respond.

Mr Wildman: I thank the members for their comments. I must say I'm a little bit surprised at the member for Nepean. Why on earth would I want to talk about the red book? The Liberals don't even want to talk about it. I don't agree with the red book and I never did.

The suggestion being made, though, by other members of the House that we should be reducing government and reducing staff I think ignores the fact that the number of staff in the Premier's office has increased substantially. I think that unfortunately many people on the government side ignore the fact that as MPPs one of our most important roles is to hold the government accountable, to hold the executive branch accountable. That is our responsibility, and the member for Algoma-Manitoulin mentioned that this is our role. That is one of our most important roles in a responsible government system. By limiting the number of elected members we are giving more free rein to the executive. They will be less accountable, and that is not healthy in a responsible system of government.

My basic disagreement with the member for Scarborough East is that, in my view, five out of 15 is not equivalent to eight out of 30. The basic difference is that while I agree with redistribution, I don't necessarily agree that it should mean a reduction in total. The fact is that we could have increased the total number by five and then worked it out across the system, and that wouldn't have made a tremendous increase in cost. We need redistribution. The suggestion that in the north he hadn't heard from urban ridings — obviously the urban ridings aren't affected. I make no apology as a representative of one of the large rural ridings in the north for defending the interests of my constituents.

The Acting Speaker: Further debate? The Chair recognizes the member for St Catharines.

Mr James J. Bradley (St Catharines): Thank you very much, Mr Speaker, for the opportunity to speak on this bill which I did not speak on in second reading.

There is a bit of an opportunity to offer a few thoughts about it.

Interjection.

Mr Bradley: The chief government whip, my friend the member for York Mills, tells me that's unusual, and perhaps it is, but with some of the speeches I made previously on other bills there may be a bit of a continuity in this particular one, and I know he insists that be the case.

This is a significant piece of legislation. There are other pieces of legislation which are equally or perhaps even more significant in the long-term ramifications for the people of the province, but I want to look at motivation, first of all, for this particular bill.

I haven't heard anybody in the province who's involved in the political process from the three political parties suggest that governments should be in the process of expanding significantly the operations of government. I've listened to everybody say that efficiencies are something that everybody has to look forward to.

The New Democratic Party, which could never be accused of being fiscally conservative in years gone by, even went through a difficult process where Premier Rae had to make some significant cuts to public services, and I know he and the members of the NDP caucus were not pleased to have to do that. When they raised tuition fees by some 32%, even though in their platform it said that there would be free tuition eventually, that wasn't because they were being mean-spirited — and that's the case — they were simply facing a difficult economic challenge at the time, that being a very deep recession. When they imposed the social contract, which abrogated every collective agreement in the public service, that wasn't aiming at those who were employees of the government and the public sector; again, the Premier in his judgement believed that it was necessary for the challenges they were facing at that time.

But what we're seeing is something far beyond that. I didn't notice that the government was — at least many members of the caucus of the New Democratic Party in those days — particularly delighted about doing it. Yes, from time to time they talked about efficiencies in government, but there wasn't that great enthusiasm out there for chopping employees — and there were employees who lost their jobs in those days — or for reducing their wages or salaries. It was done with feeling, with depth of feeling, I believe.

But today we're seeing a circumstance where this government wants to go further than all of that. One of the pictures they wish to paint, and it appeals to the Reform Party crowd, is that somehow the problem is elected representatives. I can assure you, and if the members of the government caucus could say something without being drummed out of the government caucus, they would express their lament about the amount of power that resides in the Premier's office.

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This is not unique to this government. This is a trend which I notice all too much in our society today, a trend towards the concentration of power in, say, the Prime Minister's office, whoever happens to occupy that, or the Premier's office in any province, whoever happens to

occupy that, and not enough in the elected members, regardless of how many elected members we have, not in the hands of elected members.

Though I find myself in disagreement from time to time, perhaps very often, with members of the government caucus, I would much rather try to reason with and discuss matters with members of the government caucus unfettered by orders from the Premier's office than I would try to deal with unelected people who advise the Premier, whether they're from the political party that's in power or they're actual people who are hired by the Premier's office or they're that selective group who seem to be much more powerful than even cabinet ministers. I don't think that's healthy for democracy, and those people certainly would want to see a reduction in the number of elected members.

It's a bit of a fallacy out there when we try to portray this as being a substantial saving compared to savings that can be made in other areas. To be fair, there is something to be said for setting an example, and I think members of this Legislature over the years, particularly the recent years, have demonstrated that example by not having pay increases when others in our society were. Mind you, many were not as well, and many had lost their jobs. I don't think members of this Legislature have had an increase since 1989, if my memory is correct, and in fact have seen two decreases, one under the social contract of the NDP and a further one that was effected by legislation agreed to by all parties. In each of case, there was not opposition to that; there was a recognition of the importance of that. At least, if there was, it was not overt in this assembly or in the precincts of Ontario. There was a recognition that we faced special economic circumstances, and those have not disappeared yet.

My quarrel with the government, and I have talked about this on many occasions, is with, if I can use the word, the degree of the change taking place and the rapid movement towards that change, because as I recall, Conservatives I've known over the years have been cautious people. Seldom did they move quickly without assessing the ramifications of what was happening. Now zealots who are unelected and who go south to Republican conventions and find out what's happening in New Jersey and North Carolina and so on are more inclined to want to move quickly through the process than members such as the member for York Mills, who has been in opposition and is now in government in a senior position and knows the importance of assessing the ramifications of government policies. He knows that with fewer elected people, and sometimes we're going to face that, there are going to be fewer people to challenge those who are all-powerful in the province or in any other jurisdiction, and I do emphasize that.

I know one of the items the government of Prince Edward Island, which was recently defeated, had in its platform, one of the things it did, was reduce the number of members to the Legislature on that occasion. By the way, I should also mention to government members that they also closed hospitals and schools in small communities. I saw Sally Barnes writing in the *Toronto Sun*, saying isn't it too bad they paid a price for doing what she thought was right.

But the people aren't wrong. It's like at election time, the day after the election: Those of us who are not on the winning side of government tend to second-guess the electorate, but the electorate makes a judgement based on the facts presented to it, perhaps the record of a previous administration and what other parties have to offer, and so we come to this Legislature accepting what the electorate has dealt in terms of the hand — I'm not a gambler, but if I can use that phraseology.

Now, the government no doubt feels the opposition takes too long debating bills — the chief government whip would most assuredly agree with that — and some days it must appear to the government that it is tedious. Better that, I say, than rushing legislation through. I'm delighted we're coming back in January to debate bills further, because what has happened in the past is we come up to the Christmas break and we get a lot of bills thrown into the hopper at once and we're expected to debate them and get out of here, as they say, until mid-March. So those of us in the opposition who have been saying for the past several months that we would like to sit in January and February are going to have our wish granted, and I know just how much ministers of this government are eagerly looking forward to question period every day during that period of time. I know, having been a minister, how eagerly I would look forward to that.

There are important pieces of legislation. I have seen an example. I want to compliment the government, because we in the opposition perhaps don't do that enough, for a change they made on Bill 86, which was a municipal bill. The opposition parties had expressed concern about a provision that dealt with public transportation, and the government recognized that that was a major block in that piece of legislation going through. I think members noticed this afternoon when that impediment was removed, the legislation moved rapidly through this House and will go to the committee setting.

One of the other concerns is the — we used to say "manning" — I guess you'd say peopling of committees that we're involved in. I'd like to see larger committees dealing with various subjects. I think we have, what, eight government members, three Liberal members, two New Democratic members on each committee and a committee Chair. This allows for good input in the committees, because from time to time members are pulled out of the committee into the House or other places, and it's good to have a sufficient number of people available to work on those committees so that the work of the committees is indeed meaningful. With the diminishing of the numbers to this Legislature, that will prove to be more of a challenge.

The House itself, as well, must look at the fact that the government is cutting back. Whether people agree or disagree, and I happen to disagree with how far the government is cutting back and how quickly, but putting aside that disagreement for a moment, I think one of the realities we have to recognize is there is going to be considerably more work in terms of offices at least for MPPs in the future than there was in the past, because when the government cuts its services, people tend to come to their member of provincial Parliament more

readily and at an earlier stage than they might otherwise. If the resources are not commensurate with that increase in volume of work, then the service will not be provided to people in this province.

I have a very busy constituency office. The telephone is occupied almost all of the day. There are people coming in and out of that office. There are volumes of correspondence, and it's so hard to keep up with that. I'm sure all of us face that dilemma of trying to keep up with correspondence while we are working here. I see that problem increasing. I feel particularly bad for the people who have huge geographic ridings, because while I represent an area of the city, the north end of St Catharines, that has a fairly large population, that population is concentrated in one area. While there are more people to deal with, they can have better access to my constituency office than people — I hear of ridings such as Lake Nipigon, and, Mr Speaker, even your riding of Perth has more territory to cover than my riding would have. It's a wonderful riding, as well. I've been to it on many occasions, a wonderful place in the province. But there are people in Monkton and Mitchell and Stratford —

The Acting Speaker: Brunner.

Mr Bradley: — and Brunner who would be around this province. I'm sure Hansard will get that. I don't know if you can accept interjections from the Speaker though; I don't know if that's legal or not. He's going to write it down and send it to me.

What I am pointing out is there are some different challenges when you have these larger ridings. I heard Mr Conway the other day say there were 36 municipalities he was going to deal with in Renfrew North, the county of Renfrew, and that presents a special challenge. So while I know this is popular — and listen, if I went and knocked on the doors on my street and said, "Would you prefer to have a smaller Legislature because it will save you some money?" I suspect, at first glance, most people would say yes. So if the government believes it's doing something unpopular, it is not; it will be popular.

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But very often, the best judgement of a government is when it does something — and sometimes you'll do this and we'll be opposed to it — but when you do something unpopular because you know it's right. You'll make that judgement and we in the opposition will pass whatever judgement we see fit. But this is one area where what you're doing will be very popular. I'm not entirely convinced that it's going to be better, though heaven knows we always need redistribution because that takes into account the shifts in population, and that's only fair.

I would guess then that Mr Cousens, who is now the mayor of Markham and has expressed some views about government policy recently, will have an additional member in that area to bring those views to this Legislature because I know he's concerned about the development changes that are being made by this government. He along with many of my other Conservative friends in the greater Toronto area, Hazel McCallion — I'm a long-time admirer of Hazel's — and Eldred King and other people are concerned about this, that the government has caved in to developers and will force municipalities to raise their taxes to provide the same services. That's why we have elected members.

I mentioned in a two-minute response to another speaker that in our area we're going to need all we can get to prevent the government from closing hospitals, because the government has now withdrawn some \$38 million for the operation of hospitals in our area.

I know I'll be able to count on my friend the member for St Catharines-Brock and the member for Lincoln to tell the government that we don't want our hospitals closed; that with a generally older population than most communities in the province, with people who have to sit two and three days in the hallway because they can't get an acute-care bed or with the many services that have been provided in our hospitals, I know those members will join me, standing shoulder to shoulder with the hospitals that this government is going to try to close. That's why it's important to have that contingent.

I was looking at some notes on this bill and it mentioned, for instance, the — I'll call it the Hamilton-Niagara area. It indicates that we go from 12 seats down to 9 seats. That includes Wentworth but not Halton. So my good friend from Wentworth East who is here and acted so ably as a Speaker for a short period of time in the House would not doubt be worried that the clout that we have, and I say that in the best sense, in the Hamilton-Niagara area will be diminished and the good health care that we need may not be there if we don't have the numbers and the will to make the case.

I also mentioned the other day that the minister who is now minister for seniors' affairs went across the province to conduct and develop a report on the Workers' Compensation Board and the services provided. I know he heard from many people that the workers' advisors offices are very valuable services for people in our communities, because those who require those services will come to the offices of MPPs. We have to deal with a variety of subjects, a variety of challenges, a variety of problems and don't always have the time that would be necessary to deal with items that a workers' advisor would.

So I agreed with the report. As I read the report, I gleaned from this that there was a role to be played by workers' advisors and I hope the government listens to the provisions of that report where it points out that particular aspect and to people in our area. I'm sure again my colleagues, who are concerned at the potential closing of the workers' advisors office in Thorold, which deals with the Niagara region, would join me in this. If you have your six members in the region to make that case, that's just a little more powerful, just a little more compelling than when you have only four members to deal with a matter of this kind.

I notice as well that when I say the power is shifting from elected people — those of you who went through an election campaign — to appointed people and that the government is hiring consultants — Mr Speaker, you and I are in the wrong business — at \$2,600 a day. It is going to hire these consultants to say how it should reduce more people in government. Again, we already have people. We have some good people elected to this Legislature who may have some good ideas on restructuring of government, but here we are hiring people at \$2,600 a day to do so. Again, that's a startling figure.

The Chair of Management Board admitted that in the hallway. He thought that was a lot of money.

I guess the point I'm trying to make as much as the money is that, once again, we're taking something away from the Legislature and giving it to the so-called experts who are outside of this field. They're going to make some good money on it. Maybe they're good people, I don't want to prejudge that, but on the other hand, I think we bypass far too much the resources we have within the Legislature.

There are people of different backgrounds here. I see my friend the reverend from High Park-Swansea, Derwyn Shea, a person who's had considerable experience at the municipal level of government and has many contacts in his community. I'm sure he could provide some good advice that wouldn't cost \$2,600 a day to the government on potential restructuring. He's had some experience in that field, as have others here, either through their business experience, previous experience in government or perhaps municipal experience. That's why I think the shift of power from elected people to unelected people is quite unhealthy.

I looked in the Common Sense Revolution — that's what you called your document — about the balancing of the budget, because part of the motivation for this is to save money. So I thought if the government's saving money, it must be going to postpone any tax cut until it balances the budget, and that is across the board.

I understand they raised taxes on cigarettes, and that's a tax that's going to go up and down. I understand there are going to be some other tax increases from time to time, and some decreases. Governments will do that with each budget. But I'm surprised that having analysed the situation and having listened to conservative economists and people with true common sense, the government would get into a position of borrowing more money to finance the tax cut and thereby have to bring in a number of bills they perhaps wouldn't have brought in otherwise or perhaps wouldn't have made the changes to the degree they are because they have to finance a risky tax scheme, a tax scheme which will cost the coffers of the government, the revenue flow to the government, \$5 billion a year with the full implementation of the 30% tax cut.

That means the government has to borrow that money, that means there's going to be interest paid on that \$5 billion and that means, when the government completes its term, Mr Speaker, as you well know — a person with some business experience yourself and some knowledge at the local level of government — that at the end of that time, the debt is going to be about \$20 billion higher.

Not all of that is due to this government — I want to say that; I'm fairminded enough — but the \$5 billion additional is unnecessary, and some of the members of your caucus have said that. On many occasions they've said that.

Mr W. Leo Jordan (Lanark-Renfrew): Can't you see the return on that though?

Mr Bradley: The member interjects and I'm going to respond because that's how you get it into Hansard. The member for Lanark-Renfrew says do we see the results of it. I do see the results of it: I see further cuts being made in services. I'm sure that's what he was referring to when he interjected.

Mr Jordan: No, no. Here, I'll send them over to you.

Mr Bradley: He wants to send his glasses over, I should note, for those who cannot see this.

What is happening is that the government's borrowing far more money. If you said at the end of the time, "Look, we've balanced the budget, we're well on our way to reducing the debt and we think there should be some tax decreases," I think more people would agree with you at that point.

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Others would prefer to have government services. They would like to have the driver training centre not for the people of Welland and Wainfleet coming to St Catharines, where they're not familiar with the roads, they would like to have it in Welland where they're used to the streets. I know people will say, "Isn't that a frill?" No, I think it's part of the quality of life that we Ontarians have been proud of for many, many years, back to previous Conservative administrations.

What are we seeing as a result of the tax scheme, the tax cut which largely benefits the richest people in our society? We're seeing far deeper cuts in government services and the borrowing of \$5 billion a year to finance the tax cut. I look at good commonsense Conservatives, some who I know well and I respect, who in their own minds must be thinking, "Why, oh why, did we get into this situation?"

We'll help you out, of course. We've helped you out with advice. I know you've already postponed the tax cut. I had a Conservative tell me the other day — and this Conservative will be with you people all the time — "Why don't you get up and ask the government why they didn't implement the tax cut when they said they would, at an early point in time?" and I said: "Well, they are showing some common sense for once by postponing it. They're listening to what the opposition says and they are postponing it." I know it's a broken promise, but I am not going to rise in this House and point the finger at the government for breaking that promise on the tax cut, because I think the government is wise to postpone it and probably should postpone it until we have a balanced budget in this province, a goal that all of us have.

Mr Rollins: We want some people back working too.

Mr Bradley: I know the very richest people — I heard the interjection — will be able to take that second trip to Aruba or to Spain or somewhere else.

Mr Rollins: Is that where you're going?

Mr Bradley: No, I get to go to Port Colborne and Oakville — I've been to Oakville; my friend from Oakville is here — and places like that. Halton Hills is a real treat for me. I like all of those places. I know the people who are at the very top end don't necessarily take their holidays there. They sometimes go beyond the borders of North America even and this will allow them an opportunity to go further. This will allow for more Mercedes Benzes to be purchased. This will allow for a lot of things. But we're going to cut services, good services that some of the members who have been here a while know are worthwhile for government.

I used to listen to some of the critics. The former education critic, the member for Burlington South, is here this evening. He used to make some very good cases, I

must say. He was a good education critic and made some good cases for clever expenditures, good expenditures in the field of education. He must be beside himself. I don't expect him to get up in the House and say he's beside himself, but he must be beside himself when he sees some of the changes that are being made to the classroom itself, some of the effects on the classroom. I remember he used to ask some excellent questions in this House on special education and the need for special education, which all critics do. Mrs Cunningham, the member for London North, did the same. They're seeing the effect of what's happening with the government's fiscal policy.

I know the Premier got up in the House today and everybody was supportive of him — as you should be publicly supportive of the Premier on the government benches — but I can't help feel that when you get into that caucus room there are some people who are questioning the speed with which the government is moving, the drastic cuts that are being made, rather than just moderate cuts, and the timing in terms of it being motivated or changed by the tax cut that you're implementing that benefits the richest people the most.

The member for Wellington has come into the House this evening. He may use this in his campaign literature, but he is one of the moderate voices of the government on the government benches. I always thought he should be in the cabinet. The Premier has decided otherwise so far and all of my comments about him don't advance his case. I understand that. I remember he was a person who questioned publicly the tax cut — probably more the timing — and also the fact that so many services would have to be cut. He worked with Jack Johnson, who was a wonderful member of this Legislature, his predecessor, a great guy. Everybody liked Jack Johnson —

Applause.

Mr Bradley: — and there's appropriate applause. Jack Johnson understood the need for services for people. He was a Conservative, he was cautious and he was a true commonsense person. But he recognized as well that there were needs for services for people who are unable to fend for themselves, people who don't have the same opportunities as those who are born into privilege or born into wealth.

When I look at this bill we have before us this evening, I see one which is popular, I see one which you can certainly sell to the population, particularly those who are of a mind to support the Reform Party federally. This bill will pass, but I simply ask government members to continue to challenge those who want to take away authority and power and jurisdiction from elected people, the people whom everyone in the population can get at and judge, and to send that power or convert that power to those who are unelected and often don't have the feel of the community that so many in this House have.

I appreciate this opportunity to share those thoughts with members of the assembly.

The Acting Speaker: Questions and comments?

Ms Marilyn Churley (Riverdale): As always, I enjoyed the speech made by my colleague the member for St Catharines. I'm wondering if the member for St Catharines has recently read an article by the member for Etobicoke-Lakeshore. I have a number of them here. I

noticed that the member referred to the centralized power that's happening over there in the Conservative government, and I find it interesting because there are some who say that with the member for Etobicoke-Lakeshore it's sour grapes because he didn't get into cabinet and that's why he's doing this. I would say it's because he's freed up. He knows he's never going to make it into cabinet now, so he is speaking his mind.

To the member for St Catharines, I'm going to read you a quote from an article by that member, written on July 12, 1996, in the *Toronto Star*: "At Queen's Park power is centralized in the office of Premier Mike Harris and very little is shared with the cabinet." Then in another article, even more stunning, written on Friday July 21, 1995, by the same member, the member for Etobicoke-Lakeshore: "'We won this by ourselves, and we owe nothing to anybody and are beholden to nobody.' That's a quote, senior Harris team member Bill King, June 22, 1995. The above statement was volunteered to me and my wife in the presence of another MPP in the PC caucus office a few days prior to the swearing in of the new cabinet." The member for Etobicoke-Lakeshore goes on to say, "The thrust of this assertion obviously reduced mine and some others' campaign efforts to zero importance in the mind of the Harris camp."

I would say to the member for St Catharines that this is why the members opposite aren't speaking out. They still hope to make it into cabinet, I guess.

Hon Cameron Jackson (Minister without Portfolio [Seniors Issues]): First of all, I want to comment on my friend and colleague the member for St Catharine's reference to — I'm trying to figure out how he was bringing education and health care into this legislation. He knew that my daughters attend a school outside of their father's riding, and that was really what he was trying to suggest in his comments. Of course, my children attend a school outside of their riding because in this Legislature, back in 1985, the then-Liberal government of the day was ramming through redistribution for the province of Ontario. I recall it well.

I remember Warren Bailie, a wonderful public servant, a great servant to the citizens of Ontario, sat along with the Chief Justice of the courts of Ontario and oversaw a process where a couple of Liberal members decided that maybe this little sliver of Burlington on the east end should be hived off and form part of an Oakville riding and somehow, in doing that, would enhance the electoral prospects of the member. Of course, it did work. The Tory seat was lost to a Liberal, and not only that, but my mother, who lives there, was quite disappointed she couldn't vote for her son any longer.

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However, why I share that story and why my colleague from St Catharines reminded me of it so vividly when he made the reference was that this is a process which will now force both levels of government to work cooperatively to eliminate, where possible, this process of the politicians intervening with their hidden agenda of where it best suits them. We have an independent process. We had some problems with the way the federal government handled this, but this will be the first occasion, once this legislation is passed, the first time that both levels of

government will work in the best interests of the citizens of Ontario to make sure those riding boundaries are appropriate and fair.

Mr Rick Bartolucci (Sudbury): I'd like to thank the member for St Catharines for his excellent presentation. He covered a variety of issues but I think they all boil down to one thing. What he's trying to do is tell the government that it's all about service, and Bill 81 robs the people of Ontario of quality service. I think that's what he was trying to say when he brought in a variety of examples from different areas of the province, a variety of examples from different ministries in the government. What he was trying to get the government to understand is that you have to commit yourself to providing quality service.

We are in the service industry. It is important for us to provide the opportunities to maximize the quality of service that politicians should render to their constituents, and clearly that's not going to happen with redistribution. It will be impossible for the member for Algoma to make sure that his constituents — because it will be so broad — gets the same service as, say, the member for Wellington. Oakville South's representative will be able to access the problems of his constituents far quicker than the member for Rainy River or the member for Kenora. That's what the member for St Catharines was saying.

Certainly it's important for this government to reconsider its priorities. It was clearly illustrated today. The member for St Catharines said it tonight, but earlier on today, when the Premier gave his address and our new leader gave his, the priority for the government, the bottom line for the government, is numbers. The bottom line for the official opposition, as defined by our new leader, is people. We would hope that the government remembers that people are most important.

Mr Kormos: I appreciated very much the comments of the member for St Catharines, whose former students refer to him as Jim Bradley, because he brought the issue — as I indicated in response to the member for Algoma's speech — from the northern perspective, which is a unique one, down into the Niagara perspective. Niagara loses two representatives in the Legislative Assembly — Niagara, one of the largest regional municipalities in Ontario, being dismissed by this government.

One has to question how effective the four Tories among the six representatives of Niagara here in the Legislature are when they've been unable to maintain for Niagara not even five representatives. They've acquiesced to the proposition that Niagara, one of the largest regional municipalities, and a very important part of Ontario industrially, economically, a border area, is having stolen from it by this government two of its six representatives here.

When the member for Riverdale spoke about the articles in the *Toronto Star* she mentioned them being authored by the MPP for Etobicoke-Lakeshore. I didn't quite get a handle on it until I realized it was the same series of articles that included the observation of the rigid imperialism being applied to the operation of this new Harris government. It was the member for Etobicoke-Lakeshore, but when the article was published in the *Star* they used his name. That's Morley Kells, a politician of

some great experience, who condemns this government for its rigid imperialism, which is displayed and is inherent in this legislation. Reference has been made to the sovietism of this government; its tendency to centralize and rule solely from the top; its disdain for elected members. This legislation represents that disdain.

The Acting Speaker: The member for St Catharines has two minutes to respond.

Mr Bradley: The one person I can think of who would be delighted with some of the direction the government is moving in is the former member for London South, Gordon Walker, who was a distinguished member of this Legislature and is in the gallery at the present time. Gordon is a friend from way back. We served together a number of years ago. I might note that his views in those days were about where the government is today, so he was before his time.

I want to thank the member for Riverdale for her observations and her quotations from Morley Kells, as he's called in the Toronto Star — we call him the member for Etobicoke-Lakeshore — who has always been independent-minded, who has always spoken his mind and, by the way, who has always been a good writer. I remember he wrote for the Urban Development Institute newsletter, and while I didn't always agree with what he wrote in there, he is a very good writer. He is a very good observer, very perceptive of the scene, and I think a person who recognized that there was a diminishing of power of elected people and that others who are unelected were receiving more power.

The member for Burlington South points out something that's important, that is, that whenever we establish the electoral boundaries they should be done without partisanship. They should take into account community interests, because some of the lines drawn by those totally independent make no sense to communities, but they should never be subject to partisan analysis and change.

The member for Sudbury recognizes that it is about service, the kind of service we're able to provide from the resources we have as members.

The member for Welland-Thorold understands fully that the Niagara Peninsula needs all the representation it can get to stop such things as the closing of hospitals and the cutting of funds to schools in our part of the province.

The Acting Speaker: I would just like to formalize the recognition of Mr Gordon Walker, the former member for London South, and welcome him. Thanks to the member for St Catharines for pointing that out to us.

Further debate? The Chair recognizes the member for Riverdale.

Ms Churley: Thank you, Mr Speaker. Now I can quote some more to you from the articles by the member for Etobicoke-Lakeshore, and I'd be happy to provide copies after my speech to those who are interested. I'll check with the Speaker, but given that this is an article from the Toronto Star and that the author of this article is Morley Kells, I know it's a little awkward given the rules around here, but in the context of quoting from a published article I believe it would be appropriate to use his name.

I read just one tiny quote at the beginning, and let me repeat it: "At Queen's Park power is centralized in the

office of Premier Mike Harris and very little is shared with the cabinet."

This article is about the member for Etobicoke-Lakeshore's concerns about the impact of this so-called Fewer Politicians Act on the Toronto area in particular. I'm quite impressed by the fact that the member for Etobicoke-Lakeshore has been willing to go public with his concerns, because it's quite true, as a member mentioned earlier — it might have been the member for Scarborough East — that we haven't heard a lot from Toronto members, from any side of the House, about their concerns with this. I think part of it is because the biggest areas of concern and the biggest problems will be felt in the north and rural areas, for all the litany of reasons we hear time and time again throughout the speeches we've heard in the House and that members heard on the committee. Those concerns have to be taken very, very seriously.

But I do want to talk a little about my riding of Riverdale and some of the concerns I have about the impact on Toronto. Again I would say that I think the member for Etobicoke-Lakeshore was quite brave to come out publicly and express some real concerns about the implications to Toronto. I believe it's important for all the members from the Toronto and Metro area, from all sides of the House, to represent the interests of Toronto, notwithstanding that I agree with many members who spoke here that the idea of fewer politicians seems like a good one to most people these days and you may be taking a bit of a risk in this area to say you don't agree with it.

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I, for one, and I believe every single member either from the north or from rural areas who spoke to this bill, said they believe that the time has come for redistribution. Population shifts, and it should be done every 10 years or so. I don't think one person has said it shouldn't happen. What people have objected to is the way in which it was done, and that is just taking the federal boundaries and not having any real public hearings and any real non-partisan analysis of the impact it will have on the members and their constituents. That is the concern that's been expressed.

To go back to the article again by the member for Etobicoke-Lakeshore, he goes on to say: "The only prevailing counterbalance is the Progressive Conservative caucus when it unites on an issue or coalesces around a geographical concern. That is why we have a Conservative rural caucus." Although, to unquote for a moment, if that's a word, I haven't heard any rural members speak up for rural Ontario in the context of this bill from that side of the House. I wonder why, but that brings us back to the quote I've read a couple of times here today:

"At Queen's Park power is centralized in the office of Premier Mike Harris and very little is shared with the cabinet."

To quote Mr Kells again: "The only prevailing counterbalance is the Progressive Conservative caucus when it unites on an issue or coalesces around a geographical concern. That is why we have a Conservative rural caucus." That's where I digressed, because we're not hearing from them. "But there is no urban caucus and

this situation will get worse for Metro after the next election. I should tell the members that in the NDP, all four of our Metro members meet once a week. We do have a caucus.

"Harris's Common Sense Revolution promised to reduce the number of MPPs to that of Ontario MPs and to use the federal riding boundaries. As a result, the number of Ontario Legislature ridings will go down from the current to 130 to 104 in the next provincial election."

This is interesting. He says, "This means a total change for the province's electoral map; and it has set the 82-member Conservative caucus aflutter with anxiety — a disruptive situation for any organization, let alone one perched precariously along the learning curve." We must recall that this was written back in July.

Then he goes on to say: "More explosively, these changes herald a major shift in area representation as reflected in the population surge outside of Metro Toronto's borders. This bodes ill for Metro at a time when wise and forceful leadership is vital to its survival as an internationally recognized banking and growth metropolis."

He goes on then to describe why this is so. "The new riding configurations will cause political power to move from the 416 calling zone to the 905 region. The north will be a big loser, too — not good news for a revitalizing" — this is quite interesting — "New Democratic Party with its northern Ontario/downtown Toronto power bases."

He goes on to say, "In the next election, there are to be only 41 ridings in the GTA with three straddling it, for a total of 44.

"This is not just a reduction of five ridings. It will create a...shift of power. The new ridings will equate to one member for every 100,000 residents, but because they will reflect federal distribution, they won't recognize the special histories surrounding the inner city, urban and rural riding formations.

"I see the following shifts of power:

"Toronto loses three ridings, the rest of Metro loses seven, for a total loss of 10 ridings.

"Peel and Durham regions gain one riding each, York gains three, Halton stays the same, for a total gain of five ridings.

"Thus, the Harris plan will cut Metro's representation from 30 members to 20, while the other four regions will have 24. Tory power will reside away from the heart of Toronto."

I should thank the member for Etobicoke-Lakeshore for writing half my speech for me, because I couldn't have said it better myself. Some of the concerns of the member for Etobicoke-Lakeshore are of particular interest now, given what we expect. Certainly the Premier seems to be in some kind of denial, but the Minister of Municipal Affairs has made it clear that he wants to reduce the number of politicians within the Metro area and to form a mega-government, get rid of all our smaller regional governments. That is despite the fact that 75% of people within the Metro area want to hold a referendum. I find this very interesting that the Premier of Ontario, Mr Harris, is saying no to a referendum at the same time that his government is coming forward with legislation on referendums in Ontario.

Here we have a perfect example of a question that has great significance to the people of this region, and it actually can be a very simple question. I believe the Premier said, "It's too complicated; it has to be a yes or no," so now we seem to be defining what kind of questions can go on this ballot. It certainly is true as well that there was a refusal by the government to hold a referendum on Hydro. Hydro was formed by a referendum 90-odd years ago. So far we've had two very important, big issues that are of great concern to the people of Ontario and this government has said no. One wonders just what the real intention is for referendum legislation in this province. Is the government only interested in having referendums on issues they know they can win?

But I fail to understand in this particular circumstance, when we know already that 75% want a referendum, when people from the regions are very concerned about losing their local governments and they can't have a say, that this government says it's going to do what it's going to do. It reminds me of the quote I read that the member for Etobicoke-Lakeshore said was said to him: "We won this by ourselves and we owe nothing to anybody and are beholden to nobody" — Bill King, June 22, 1995.

I believe that quote sums it up. That's what's happening in the context of almost all the policies and cuts that are coming forward, including this bill that we're debating today. The people are not having a say. The opposition is not being listened to. I see my colleagues the member for Cochrane North and the member for Cochrane South here tonight, and they were here last night. They've been out on committee, they've been meeting with people in their constituencies, and they have been telling members of this Legislature that they're not trying to hold on to their seats. I think they can work that out. I haven't heard either of them complain about that.

They know that whoever wins, be it a Conservative or a New Democrat or a Liberal, certainly we hope it's a Liberal — oops, that was a Freudian slip of some sort, wasn't it? I'm wearing my blue jacket today, so I don't know what happened there. We certainly hope it's a New Democrat, but no matter who wins, it is going to be a big problem for these members.

I see the members for Scarborough East and Nepean and others, who have heard these arguments time and time again, and I see them constantly —

Mr Baird: He's York Mills.

Ms Churley: The member for York Mills? I know all of your ridings, although from time to time I forget. I don't know all the names.

You have heard these members from up north, and surely you must have heard from some of your — do you have any northern members? Mr Speaker, do they have any northern members?

Interjection: No, there are no northern members at all.

Ms Churley: That's why. You don't have any northern members, but you have rural members. Mr Speaker, they have rural members. You're a rural member. You should be listening to these people. Not only do they know what it's like to try to be a representative from a huge northern district and rural areas, but some of them have been around longer, frankly, than some of you, and they know perhaps a little more. I think that you should listen more closely to what they have to say.

I sincerely hope there is some possibility that the major concerns about a few ridings in particular up north — that amendments can be made to deal with some of the most massive ridings that are going to be created by this bill. Because I see some of my colleagues now from the northern area, how much they drive, how much they travel, how little time they have with their families —

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Hon Mr Jackson: At 39 cents a kilometre.

Ms Churley: I don't know, 39 cents a kilometre or whatever it is. I think it's rather irrelevant.

Mr Len Wood: It's 29.

Ms Churley: It's 29. We want to get this fare on the record. I don't think we should reduce this to talking about money though. They should be compensated for the money they spend on their travels. All I know is that I don't envy them. I would not want to spend the amount of time my colleagues spend in a vehicle, on airplanes, away from their family, away from their friends, and then when they are at home, they spend almost the entire time out doing constituency work.

Coming back to my riding of Riverdale, this riding has been represented by the NDP, I'm proud to say, for over 30 years. There is a very high standard that's been set in Riverdale for their MPP, and anybody who wins in Riverdale — I know my boundaries are changing. I don't have a problem with that. In my riding, I don't know if I can win it or not. I hope I can, I think can. The member for York East is not here. I may be up against him. I don't know how that's going to shake down. I'm not worried about it. I always take each election on a daily basis. I will fight the next election on whatever exists and that's the way it is. I'm not worried about it. If I lose my seat, I lose it. I hope to win it again, and I believe my constituents think I'm a very hard worker. I don't know about Conservatives, but I know some Liberals support me in my riding because they see me as a hard worker. I'm out there all the time fighting for my constituents and working with my constituents.

The expectation, because I don't have to leave Toronto — I live 10 or 15 minutes from here by car; 20 minutes on my bike; 30 or 35 by foot, so I'm really lucky.

Mr Baird: I hope you don't get mileage for your bike.

Ms Churley: Yes, I should try to get mileage for my bike, the wear and tear. One of the downsides, in a sense, of being in your riding all the time and being that close is that people expect you to be there all the time, every night of the week, at everything. I don't mind that, but it is a reality. I rarely have a night to relax during the week. I go to meetings, gatherings, events. I try to keep up. I have a large Greek constituency, large Chinese and Vietnamese constituencies, an East Indian constituency and a whole mixture —

Mr Baird: Conservatives.

Ms Churley: Even some Conservative constituents; not many, although they did come second. Much to everybody's surprise the Liberal came third in the last election. It's usually one-on-one. I must say I appreciated that because it's always one-on-one, a tough fight, but this time the three-way race made it a lot easier. I still won handily, I want you to know.

But I work hard and I think that is known and appreciated. Now I will be working harder and I'm not com-

plaining about that. My family might complain about that, but I know that I will have more meetings and more events to attend, more people to get to know, more issues to deal with. I have no problem with it and I am not complaining about the boundary changes in my area. I think it can work, given the configuration, fairly well. I would say in the context, even without the analysis that is so badly needed, that this one probably makes sense.

My worry is that this government is now about to form a megacity. I represent a Toronto riding and my provincial riding is going to now go way up into East York. In fact there's a meeting tonight. My colleague from Beaches-Woodbine has gone because I couldn't; I'm here in the Legislature giving this very important speech. There's a meeting tonight in East York with the mayor and a lot of other people who are very concerned about — I have the notice here — that municipality disappearing. I can tell you that the citizens of East York feel very strongly about their community and do not want to lose their identity.

This notice for the meeting tonight says, "East York Fights Back." It's a "follow-up to the East York rally...meeting with Dave Johnson, MPP and Chair of Management Board" — I'm reading here so I had to say his name — "more cuts to health and education in the next provincial budget...municipal democracy versus megacity amalgamation...building the East York Action Committee."

This is a big coalition, the East York Action Committee. It's a coalition of individuals, community groups and labour unions who have come together and are concerned about a lot of the things this government is doing to East York. They're saying the fight back has just begun. I can tell you that I'm happy to start working closely with those people in East York. We have a group in Riverdale called Riverdale Against the Cuts, which is a very active group doing great work, and I think we can join forces together and actually bring this government down in the next election.

I'm not at all concerned about taking on a portion of East York. I know many people who live and work in East York and admire the communities there and the ways they work together and the community spirit. I appreciate the fact that they're fighting to keep their municipality. I'm also fighting in Toronto to keep the municipality of Toronto. The identities to us in our communities are very, very important.

I don't know if members here know about this or even care, but I think I should say it because sometimes there's a lot of disdain for people from Toronto.

Mr Baird: No.

Mr Galt: No, they are not.

Ms Churley: Northerners, rural people — Toronto gets beaten up all the time. I'm used to it.

Mr Baird: We are doing it to suburbia.

Ms Churley: But I'm elected as a Toronto member and I can tell you something really interesting about Toronto. Toronto is made up —

Mr Rollins: Toronto is the best city in the world.

Ms Churley: It is the best city in the world. You guys are going to ruin it, but right now it's the best city in the world.

Toronto is made up of a lot of small communities with their own identities. This is what I was going to tell you. I grew up in Labrador. Now, Labrador is a really small, isolated community. Hey guys from the north, if you want to talk about being from the north, we had no roads. The only way out of Happy Valley, Labrador, where I grew up —

Mr Bisson: It wasn't so happy in that valley.

Ms Churley: It was actually; it was a happy little valley. We had no roads out. In the summer you could take a boat and in the winter the only way out was to fly; very tiny communities. I understand the value of communities and the value of people working together and living together and having a sense of identity. Ever since I left my home of Labrador, I have sought out community. It's still important to me. I sought it out in Toronto and I found the community of Riverdale, which has become just that to me.

I expect that most, if not all, of the members here, no matter where they're from, know what I'm talking about when I talk about the importance of community and how we need as individuals, as humans, to be able to identify with that community, to be a part of that community, know our neighbours, feel that we have something in common and that we have some control of our destiny.

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I'm extremely concerned about the kinds of activities, the kinds of policy changes this government is making without consulting with the people from my riding, the people from East York, some of whom I hope will be in my riding after the next election, the people of Toronto who are very concerned about losing its ability to be a community and have a say in its own affairs.

Coming back specifically to this bill, I agree with the member for Etobicoke-Lakeshore that there are some real concerns about the impact on Toronto at the same time that David Crombie is having his behind-the-scenes, secret deliberations, which are all happening behind closed doors; once again people are not being consulted. This is the trademark of this government, which is one of the problems I'm addressing here. Changes need to be made. We all made that very clear. Our government commissioned the Golden report. I know we're not debating that bill, but it's connected in a way. We're talking about governance, and this bill is about that and so is the who does what to whom panel.

One of the biggest concerns I have is that it is being done in secret, behind closed doors and without consultation with the public. You've heard me raise this example before, and I'm going to raise it again: the finance subcommittee of the education panel, which is part of the who does what to whom panel. This little subcommittee met in secret behind closed doors to discuss the entire issue of the refinancing of education in Ontario. There was not one Metro expert from the educational field on that subcommittee panel. This is a major issue to the parents and children and educators in Metro Toronto, extremely big. We're talking about redistributing Metro dollars into other areas. The fact that nobody from education was on that panel is a disgrace.

Then some parents in my riding from Franklin school got together and hired a lawyer, Brian Donovan, whose

kids go to Franklin school. He worked for a big law firm and decided to take on the case for the parents. What should happen but the executive assistant of the Minister of Municipal Affairs and Housing phoned up that law firm and referred to — we don't know exactly what was said but I can tell you what Mr Brian Donovan said was in that conversation, and it was different from what we're hearing over there.

This EA phoned up, and magically, do you know what happened? Talk about bully-boy tactics once again. There was a threat of an injunction in this letter. The parents were asking some very serious questions about this panel, and there was a threat: "If we don't get answers to this question there could be an injunction to keep them from reporting." Guess what? After this phone call was made, the big law firm pulled Mr Donovan off the case.

In the process of that happening, this subcommittee reported, so it was too late for them to go back at it, get another lawyer and get answers to their questions. They never got answers. They pulled him off the case and that was the end of it. It isn't the end of it. I have launched a complaint to the Integrity Commissioner. We'll see what happens. I think that kind of behaviour, and I don't know what's going to happen with that, is despicable, and at the very least it is bully-boy tactics that this government has shown time and time again.

To end my speech I want to read you something from the Common Sense Revolution under the heading "Less Government. Canadians are probably the most over-governed people in the world" — it goes on a bit around that. "We must rationalize the regional and municipal levels to avoid the overlap and duplication that now exists.

"The example being set by a Harris government, of a 24% reduction in the number of MPPs and a 20% cut in non-priority spending, will set the benchmark for municipal politicians and trustees." Listen to this: "We will sit down with municipalities to discuss ways of reducing government entanglement and bureaucracy with an eye to eliminating waste and duplication as well as unfair downloading by the province."

They have not sat down with the municipalities to talk, and they say they're not going to download. This government is moving ahead, restructuring everything in sight, not consulting with the municipalities, downloading like crazy on the municipalities.

Another example we hear about sounds like the government is now saying it's not going to privatize our water, that instead it's going to download it, give it to the municipalities. We know the municipalities aren't going to have the money, so what are the municipalities going to do?

We're not going to be able to trust that our water is good, clean water any more. There will be environmental problems and they'll probably be forced to privatize it.

This government is making massive changes to how things are being done in Ontario. They are not consulting with the people of Ontario and they are not listening to the members in this House who know better than they do about the problems of running a northern constituency.

What do they do? They make fun of them; they laugh at them. It's an arrogant response to some very real

problems, and I hope that from now on, as other members speak, the government members will listen more closely, with more respect.

The Acting Speaker: Comments and questions?

Mr Gilchrist: I'm pleased that we've finally had some comment and feedback from an urban Toronto member and I appreciate the comments of the member for Riverdale. I note that throughout the course of her comments she did not touch on the issue of workload. I'm sure she would agree with me that she, being from an urban riding — and I and our other colleagues — would have an infinitely greater demand for things like Ontario Housing or Metro Housing. There is none, or very little, in some of the rural ridings in the north. If there is no provincial housing, there clearly cannot be any constituent who speaks to that problem.

She would also agree with me that we have a very high percentage of people on government assistance. We have a greater population, and it stands to reason that every Ontarian would likely have the same odds of requiring the services of an MPP. It has to follow from this that if one riding has 19,000 people and another riding has 129,000 voters, the second member will get six and one quarter times the phone calls, the faxes, the letters, the requests for a personal visit. It doesn't matter where in the riding that question or concern arises; the constituent, I agree, has a legitimate need and the member has a responsibility to address those concerns. But if the workload is six times as great in that riding as it is, say, in Rainy River it cannot follow. The sheer reality of geography would offset such an incredible disparity in workload.

We have already heard in the committee hearings that contrary to some of the submissions here today, the north is equipped with many resources they need to handle the difference.

Mr Bartolucci: I'd like to thank the member of the New Democratic Party for her excellent presentation. I think she alluded to the Reform movement in her talk. That's exactly what this government is all about, the Reform movement: less representation by people, fewer politicians, less opportunity for people to interact. "Let's do everything by referendum. Let's not involve people in the process at all. Let's not involve politicians at all. Let's try to find every reason in the world why not to have representative democracy. Let's try to do everything by paper."

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We had a great example of that in committee this afternoon when we started to discuss referenda. We suggested that referenda would be great if we could get all-party agreement on what items should be topics of referenda. We thought the megacity question would be an excellent item but the government wouldn't agree. We thought the closures of hospitals would be an excellent opportunity to have referenda but the government didn't agree. We thought it would be very important for referenda to be used only under very special circumstances, so special that we would get all-party agreement. Of course the vote was taken and the government disagreed. The government isn't interested in having people being represented by politicians. They're only interested in using referenda and the political process to their own end.

That's the Reform agenda. That's what it's all about. The Reform agenda doesn't have anything at all to do with allowing people fair representation. Bill 81 is all about unfair representation.

Mr Bisson: I want to take this opportunity to congratulate my colleague from Riverdale for again delivering what I think was a very good speech about what the content of this bill is all about with regard to how it affects not only northern Ontario but people in urban Ontario and various parts of Ontario.

I also note that she drew allusions to how, as a member in Toronto, she has different requirements on her time than I would as a northern member in Cochrane South. Specifically she talked about the member for Scarborough East, who was in Timmins at the committee hearings along with my friend Len Wood and other members of this assembly, to hear what northerners had to say about this particular piece of legislation.

I know you would want to know that the vast majority of presenters who came before this committee from across northern Ontario — about 80% of them, and 90% in Timmins — were opposed to what this government was doing through this legislation. The member for Scarborough East said a number of times in that committee, and he did it again today in the House, that in places like Scarborough he has far different caseloads and he has to worry about taking care of issues like social housing, which we don't have to take care of in northern Ontario. I would say to the member for Scarborough East that we have social housing in northern Ontario. We have quite a few units of social housing in Timmins, some 700 within the Timmins Housing Authority. But even better, we have houses in northern Ontario. Maybe that's what you were trying to allude to, that maybe we don't.

I say to the member for Riverdale, again comments well done. She talked about how the government is trying to report that they're doing this because they're keeping their promises and they're doing what they said they'd do and that they were just on target. The Common Sense Revolution, signed by Michael Harris, the Premier of Ontario, has broken about half the promises in the Common Sense Revolution. They've cut funding to education and health care and they're downloading on to municipalities, all things they promised they wouldn't do.

The Acting Speaker: The member's time has expired.

Mr Galt: It's interesting to hear the various presentations, particularly that of the member for Riverdale. I heard a lot of talk in the rebuttals about representation and the problems with it and I don't see what the concern is.

There's going to be really good representation. It's certainly very adequate for the federal members. There will be 103 seats. We can go to referendum on rare occasions, if necessary. I don't see that this is the way we're going to rule or the way we're going to govern the province. But when you talk about democracy, I can't think of anything more democratic than for the public to have the power to put a question for referendum on the ballot. To me, that is a step towards the democratic process.

This particular bill is very consistent with the bill we have for municipalities and looking at how municipal

councillors and trustees are elected. I think it's great that the boundaries are now going to be coterminous as we move down the road. Politics is an awful lot to the people in this House, and yes, we follow it and understand it and appreciate it, but an awful lot of the public in Ontario do not have the same enthusiasm for politics that we do and they find it very confusing. I think anything we can do to simplify it is really going to be helpful: they vote in the same location, the polls are the same size, whether it be federal or provincial, and I personally would like to see that go one step further, that the polls would be the same municipally. It would certainly simplify it and people would understand the direction that we are going in.

In summary, I thank the member for Riverdale for her comments but I still see the real advantage in going ahead with this bill, having the boundaries coterminous and getting the number of politicians reduced from the present 130 to the 103. We'll then have adequate space in this legislative building.

The Acting Speaker: The member for Riverdale has two minutes to respond.

Ms Churley: Now we know the real reason why they want to reduce the numbers: They're hoping they're going to come back with such a big majority. They're not, but they're hoping to. They want to keep them all over there next time. Now we know the real reason for this.

To the member for Scarborough East — and I appreciate the comments from people — he must have not heard me, but I did speak about workload for quite a while. I was talking about how hard I'm expected to work in Riverdale, and there are lots of issues. I can tell you one thing, when people want to see me, they want to see me. They don't want a fax from me, they don't want to hear the answering machine, they don't want to see me on TV; they want to sit down and talk to me.

Again, I think the member for Scarborough East is making these judgments about how we work: "We have more work in Toronto because we have more of this and more of that." I don't think that's true. There are all kinds of issues they have up north that we don't have, and again, the greater distances. I think that's really disrespectful of our northern members. It's different — some the same, some different — but they have to work just as hard as we do to represent their constituents. I know my constituents, like theirs, expect me to be there in person a lot, and I try to do that.

To the member for Sudbury, I appreciated his comments. I think he reiterated what I said already, what this government is up to.

To the member for Northumberland: Every province — I believe it's every province; I'd have to check this, but if not every, almost; in fact, I'll say it's every province — has more provincial members than federal members. There's a reason for that. Unfortunately this government has not looked at why, again "one size fits all," not worrying about the difficulties.

The Acting Speaker: The member's time has expired. Further debate?

Mr Tony Ruprecht (Parkdale): I'm delighted to add my thoughts to Bill 81, the Fewer Politicians Act, which will reduce the number of Ontario MPPs from 130 to 103.

Our party recognizes the need for smaller government, but we would try to ensure —

Mr Baird: Isn't Tony clever? He's got the Dalton badge on.

Mr Ruprecht: There's considerable debate on the button that I'm wearing. I'm proud to wear the button of our new leader, Dalton McGuinty. I think we're going to wear this button until the next election and we're going to win.

The Acting Speaker: Order. You're pushing my limits. I don't have any objection to your wearing it, but it isn't part of the bill we're discussing and I'll not let you include it in the debate.

Mr Ruprecht: Believe me, Mr Speaker, I appreciate your comments, but as you can see, this is red-baiting. They see the red sign and they can't keep quiet because they know the next election is lost. That's why there is considerable backbench revolt. They don't like me to wear this button. But I agree with the Speaker that if it bothers you that much, if you can't look at this button of our new leader, that he stares you in the face, then I will take it off. But you haven't asked me that question, Mr Speaker, and neither have the honourable members from the Progressive Conservative Party. I know they don't like to see this button, but as long as I stand here today, unless I have the request to remove it, you'll have to look at this button. You don't have to look at it; you can look at my eyes if you wish.

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Interjections.

Mr Ruprecht: My goodness, Mr Speaker.

The Acting Speaker: Order, please.

Mr Ruprecht: Thank you very much for the compliment. They would rather look at me, Mr Speaker. Isn't that great? Thank you very much. You don't know how delighted I am that you want to do that. That gives me a great deal of pleasure that you want to look at me. That's terrific.

Back to business. We think that, yes, there is need for smaller government; there's no doubt about that. But at the same time, let there be no mistake: You know the figures and you know the land mass of Ontario. Mr Speaker, you know that the latest geographic representation of Elections Canada, right here — I don't want to cover up my button — shows you right there the riding of Kenora-Rainy River. In case you don't know —

Mr Gilchrist: That's got to be, what, 8½ by 11 inches?

Mr Baird: It's more than 10 square inches.

Mr Ruprecht: I will oblige the members —

The Acting Speaker: That's a prop. You know it's not allowed and I'll not allow it to be used in debate.

Mr Tony Martin (Sault Ste Marie): On a point of order, Mr Speaker: It is so important that the people in this place have some visual understanding of what this bill —

Mr Ruprecht: It was all right, because it's important, Mr Speaker. Do you want to help me with this map?

Mr Michael Brown: I certainly will.

The Acting Speaker: I've asked the member not to use props. I thought you had the experience —

Interjections.

The Acting Speaker: I'll not allow it, and if you'd like to proceed in debate along with the rules that are allowed by the House, then I would welcome that. Otherwise, I wouldn't.

Mr Ruprecht: I will take this map away that I think —

Mr Michael Brown: On a point of order, Mr Speaker: I'm wondering what your —

Mr Baird: Challenging the Chair.

Mr Michael Brown: No. I just want this for information.

The Acting Speaker: I'm sorry. There are two of us standing up, and only one of us should be. When I take my seat and you rise, then I would like the opportunity to recognize you.

The Chair recognizes the member for Algoma-Manitoulin.

Mr Michael Brown: A point of order, Mr Speaker.

The Acting Speaker: Your point of order, please.

Mr Michael Brown: I understand the rule about props. What I'm having some difficulty in is understanding what exactly a prop might be. In this particular instance, the member for Parkdale is talking about a redistribution bill, about a boundary bill. It seems to me that when you are talking about a boundary bill, it would almost be necessary, to intelligently discuss it, to have a map.

The Acting Speaker: I take with great seriousness the member for —

Interjections.

The Acting Speaker: Order. I take with a great deal of seriousness your point of order and I appreciate it, but the rules of this House are that we express ourselves verbally and that we are not allowed the accommodation of props, and that is my ruling.

The Chair recognizes the member for Sault Ste Marie.

Mr Martin: On a point of order, Mr Speaker: I would like to say that I agree with the comments of my colleague from Algoma-Manitoulin that in this instance, when we're talking about dividing up the province in the way that we are and the changes that are being proposed and what's going to happen to the north in particular, it would be most helpful —

The Acting Speaker: Could I just clarify if it's the same point of order as I've just explained to the member for Algoma-Manitoulin? To me it is, and I'm ruling that is no longer a point of order and there's nothing wrong in this House. The member may proceed if he wishes.

Mr Ruprecht: I guess I may proceed without the map. Mr Speaker, I will take the map away, but I want you to know that I share the discussion and the points that have been made by the two members that it is really essential that we show to the public and in this House how these districts and new zones of representation are being cut up and divided.

But I would expect that you would obviously permit me to read from the Elections Canada book, that there's no problem with this book. Is this considered a prop, Mr Speaker? If it isn't, then I will proceed. If it is, then you will have to make another ruling.

The Acting Speaker: This is not question period and I don't intend to answer questions that you should have both the experience and ability to know yourself. I think

that you should be able to assume that when you have the floor to debate, then you have it quite willingly, with the willingness of your colleagues in this House and mine, unless you find that isn't so, and then you should think otherwise.

Mr Ruprecht: It makes no difference, Mr Speaker. Thank you very much. I'm looking here at the map of Kenora-Rainy River, and this district. That's why we think, as Liberals, there is a design here in terms of reducing the numbers of politicians in a smaller government, but it's got to be done within the context of taking into account certain variables. One, of course, is geography. That's the reason why I'm looking at Elections Canada right now, and what I see in this Elections Canada book is very interesting. I see that there are a number of ridings here that are larger than many European countries. This one specifically, Kenora-Rainy River, even the old riding, goes from Hudson Bay all the way to the United States of America, from Manitoba all the way to Timmins. Think about this riding being so vast that it could include over 80 million people in Europe, and yet we have a population here in this riding of 76,000 people, 19,000 of whom have a right to vote.

So, yes, there is a difference; there is a distinction. But certainly, as I said earlier, what have to be taken into account are at least a number of variables. One is community of interest and the other is geography. As you can see, this particular map is so big, so vast, that certainly the MPP in that riding would be unable to service this riding. It would be almost impossible.

Mr Kormos: How many countries are smaller than that?

Mr Ruprecht: There are a number of countries that are a lot smaller, even European countries. As I said earlier, Mr Speaker, it would be impossible for you, as a representative, to get around to service those kinds of communities. Now, I could be much more specific but I'm mindful of the time.

So, yes, there has been reference made earlier by the member for Etobicoke West, who has put out this booklet, and certainly he has indicated that there is a movement of concentrating a great number of powers into the hands of the Premier, certainly into the Office of the Premier.

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We know that when we used to be in power under the previous leadership of Premier Peterson, there were a number of complaints that the Office of the Premier was too big and the staff was too large; there were too many people hanging around and too much work to do. Then of course there was a change and the NDP came to power under Bob Rae, and again, what did Bob Rae do? Instead of cutting back, he added to. In other words, the weight and influence of government is being enlarged instead of being reduced.

Today, under the new leadership of the Progressive Conservative Party and Mike Harris, we find the same trend continuing. In other words, more people are added to the payroll. And yes, there are so many people added to the payroll who are not elected and consequently not accountable to the very people of Ontario who have a system in place that seeks accountability to the govern-

ment in power, but the very system that is organized to be accountable is then thinking about what's called an imperial premiership, imperialism meaning concentration of power in the hands of one person or of an oligarchy. If anybody in Canada had the experience of having one oligarchy in place already many years ago — that's why in fact Mackenzie started the revolt in Canada, because the power was concentrated in the hands of the Family Compact, and the Family Compact made the decisions without being consulted, without the people having a direct voice in its deliberations. That was the reason why there was a revolt in Upper Canada, because of the very idea that centralization does not speak of accountability.

While history is repeating itself today, we can say now that there may be a new Family Compact being established, not necessarily by family and blood ties but certainly by power ties, certainly by party ties, certainly by ideological ties. What we wish to prevent is to split up, and to make a government accountable to its people. So we may talk about the new Family Compact. What is it? What does it look like? What is its face? When we look at this government, we are today staring into the face of the new Family Compact. We're staring into the face of a new imperialism. We're staring into the face of a new concentration of power. If there's one thing we want to avoid today, if there's one thing we want to avoid under Bill 81 — we want to try to ensure that there is some accountability for the people of Ontario, and it is this accountability which is at stake today.

I'm asking the members of the Progressive Conservative Party, especially the backbenchers who are here today, have you been consulted lately about any decisions that this government has made? Have you been consulted? I'm listening to the answer and there is dead silence.

Mr Michael Brown: There's nobody home.

Mr Ruprecht: Do you know why there is dead silence and why there's nobody home upstairs? Why is the light not on? Why are they not yelling, "No, we have not been consulted"? Because in truth we know what it is: They have not been consulted. You have not been consulted, Mr Speaker, although I shouldn't say that because you are in the Speaker's chair. I'm sorry about that. I will take that back.

The members of the Conservative Party have not been consulted. How do we know that they have not been consulted? How do we know that? We know that simply because their own members are telling us they are not being consulted. The power of the imperial presidency in the premiership of Ontario is alive and well.

We not only have to take the written comments of the member for Etobicoke-Lakeshore into account when he says overconcentration of power, no consultation. I'll tell you something today. Not only have the backbenchers not been consulted, but even, I would guess, and I'd have a strong guess, the members of cabinet have not even been consulted on some items. You know how I know that? Because some of the members of the Premier's staff — I will not mention any names, but at least one member has indicated to me that the cabinet is not into all the decision-making, does not have the ear of the inner cabinet, the inside track of those who make the decisions.

Here we have a new imperialism, and if the members are honest tonight, especially on the side of the Progressive Conservative Party, they will say yes, we have a point, that there must be and there should be more accountability, and there isn't. How do we overcome that? Do we overcome that by slashing the ridings, by crossing boundaries, by not thinking about geography, by not taking into account geographic and community interests? Is that the way to get around it? No. We have to get around it by slashing those who get \$2,600 a day when we talk about private consultants. Yes, Mr Speaker. What we have to do today is to make some reductions, but these reductions must start at the top. Let the Premier make the reductions in staff. Let it start at the top. Let the Premier make these reductions and have greater accountability and communicate with the backbenchers a bit more, as has been the request by a number of backbenchers today.

So yes, we talk about boundary changes, but it reminds me quite well when just yesterday the mayors of Metropolitan Toronto came and spoke to the various caucuses: the PC caucus, the NDP caucus and the Liberal caucus. It reminds me that the underlying philosophy that the mayors are fighting within Metropolitan Toronto, because we're talking about the megacity, the underlying philosophy and slashing and burning and cutting and reducing has a similar ring to the underlying philosophy we're being subjected to under Bill 81 today. It's the same thing.

Are we doing it because it makes sense or are we reducing because it looks good? Yes, I remember the member for York Mills. I was in his riding the other day. In fact, I had a happy time with him, because he was speaking Spanish over at the consul general in his riding, who was from Brazil. I was there. We had a nice discussion and he said to me that maybe next time I should tell him when I come to York Mills. I said, "That may be true." The next time I go to York Mills, I will call him up and say that I'm coming into his riding. But I would expect the same courtesy extended to me when members of the PC caucus are coming to Parkdale. I would like to have that same courtesy extended to me.

But it's the underlying philosophy we're talking about, and what is it? Is it because it makes sense that we're cutting or is it because it looks good? We're doing it, I suspect, because it looks good. You know why I know that? I'll tell you the theatrics. I was not permitted today to show the map of riding redistributions, but certainly the Premier is permitted to be in love with a flatbed truck. Do you know how I know he's in love with a flatbed truck? Because he brings it up all the time. Before the election he brings it up before Queen's Park with 27 chairs on this flatbed truck. He brings it up throughout the election, this flatbed truck, and he brings it out even after the election, this flatbed truck. And you know what? He brought it out three weeks ago when he introduced Bill 81. He brought the flatbed truck back again with the 27 seats.

Are we cutting because it looks good or because it makes common sense? The reason is simple. We're doing it because it looks good and at first blush it sounds great: "Cut the damned politicians. They're no good anyway."

The people are cynical, except when you sit down with them in your own ridings. You sit down with them in your own ridings and they'll say the same thing to you: "We appreciate when you come to see us. We appreciate when you shake our hands and explain your policies to us. We appreciate when your office is open and we appreciate when you're accessible." That is the secret behind maintaining some of the boundaries and taking into account geography and specific interests, because that's at stake and that's what's going to be lost.

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Do you want to know something interesting? Do you want to know the truth, what some members of the PC Party really believe about riding boundary changes in Ontario? Let's look at what they were saying before the last riding boundary change. Let me quote some. Noble Villeneuve, what did he say? I quote page 855 in Hansard. He says: "As many of the previous speakers addressing this have mentioned, we do not want to see the rural part of Ontario further underrepresented."

That's interesting. Then Noble Villeneuve goes on to say:

"I personally feel, because of the location of Stormont, Dundas and Glengarry and the structure and makeup of rural areas, we must retain the status quo intact. It is a situation that was addressed by a number of my colleagues and I certainly agree with them. Rural Ontario must have more, not less, representation."

That's a quote from the member who is today a minister.

Do you want to know what Bob Runciman said about redistribution? Let me tell you what Bob Runciman said earlier. He says:

"In terms of the criteria outlined for the commission, when it was arriving at the boundary changes — perhaps it is the fault of the Legislature, but I do not think it took a close look at rural ridings in respect of the number of municipalities a member representing a rural riding is responsible for."

He goes on to say: "I have 15 municipalities in my riding, and the changes will add another four municipalities. I think the workload perhaps is not adequately recognized by the commission."

What does he say? He says he's only adding four municipalities. When we're looking at the new riding boundary changes, he will not only get four, he will get many, many more. That's Bob Runciman talking.

Second, he says: "There is also a question of travel. Many of us have to travel long distances to get around our ridings to attend events. The member for an urban riding does not have to contend with that."

It is obvious to me that this change was not necessarily made because of efficiency, of better service; it was made because it looks good. That's the reason it was made.

What about Mississauga? What about Margaret Marland? What did she say about riding boundary changes? Let me quote.

"The representation a member of the Legislature makes on behalf of his or her constituents is the aspect that I think should be considered by the election commission. If the people of Ontario are serviced to the maximum ability of the elected representatives because the bound-

aries of their ridings facilitate the service of those people and the equity of the distribution of population as far as possible, then those are the aspects the electoral boundaries commission should consider. I feel very strongly that whether I gain 6,000 people in Mississauga South and Mississauga East loses those 6,000 people is not nearly as big an issue or concern to those 6,000 people as is the question of how they are represented."

Quality of representation. That's what Margaret Marland talks about: quality of representation.

What about Ernie Eves, the Treasurer? Do you want to know what Ernie Eves says about boundary redistribution? Ernie Eves says:

"The commission has clearly recognized, as a result of the resolution, that we should also consider other factors such as community and diversity of interests, means of communication, varying conditions of representation between urban and rural ridings, special geographic considerations and traditional riding boundaries."

That's Ernie Eves, and he says, "I would submit the commission has somewhat neglected these equally valid considerations, choosing instead to focus almost entirely on the issue of population."

If Ernie Eves were here today and we were to ask him, "Ernie, what do you think about the new riding boundary changes, when you said earlier in previous riding boundary changes" —

The Deputy Speaker: Order. Could you take your seat. This afternoon or late this evening I made a ruling to the effect that if you refer to a member, you should not refer to him as "Ernie" or as "Mike" or as "Tony." Say "the member for Sault Ste Marie" or "the member for Algoma-Manitoulin." It becomes too personal. Okay?

Mr Ruprecht: I appreciate that. The reason I was mentioning this person by name is because I'm quoting from the Hansard, but I understand what you're talking about, so we'll just say the member for Parry Sound.

The member for Parry Sound says quite clearly today, "I would submit the commission has somewhat neglected these equally valid considerations, choosing instead to focus entirely on issues of population." Here we have it. Here is the member for Parry Sound saying that other considerations have been thrown out of the window and have been neglected. If we should trust anyone in this Legislature it certainly should be the Treasurer, and if the Treasurer says to us that there has been neglect in terms of other considerations, I take that to be quite serious, and I would expect that maybe there would be new considerations.

Finally, let me talk to you about a quote from the Premier himself, the member for Nipissing. I know that all of you like to hear what the member for Nipissing had to say about riding boundary changes and what he thinks about them. This is a quote from Hansard, pages 2641 to 2642. This is now the Premier of Ontario speaking on riding boundary changes, nothing else.

"What would happen with the new changes? It would split up some of the areas of Springer, Field and Caldwell townships and separate them from the town of Sturgeon Falls and from the town of Cache Bay and from band 10 of the Nipissing Ojibways."

Mr Michael Brown: Did Mike Harris say that?

Mr Ruprecht: Mike Harris said that, and he also said: "I ask the commission to consider the concerns of these communities. Although the numbers may warrant this change and the proposed ridings may parallel the federal ridings, I ask whether those facts are not offset by the commonality of the communities."

Here is the Premier himself saying that what has been neglected is other considerations. Community of interest, travel, effectiveness of representation, changes of boundaries, separation of communities have not been taken into account.

If the Premier were here now, we would have to ask him, "Mr Premier, what do you think about these riding changes?"

The Deputy Speaker: Your time has expired.

Mr Ruprecht: Mr Speaker, I would like to speak a little more. I would beg the indulgence of the House because I was cut back by five minutes earlier.

The Deputy Speaker: Unanimous consent? No. I thank you for your cooperation, and I think you understand the message I tried to communicate.

Questions or comments?

Mr Kormos: It's unfortunate that the rules of the House prevented the member from displaying the map with the electoral boundaries, a huge map which would have demonstrated in a very visual way the impact of the riding boundary redistributions, especially in northern Ontario.

I'm going to be speaking to the bill shortly, and I'll speak about Niagara region and the six ridings and how they get placed under attack down in Niagara region, but people have to realize that there's incredible impact here in the north, that there's a real abandonment of northern Ontario, a real failure to recognize how northern Ontario is different from southern Ontario. It's distinctive, it's special.

If we as Ontarians are committed to the north, we have to be prepared to go the extra mile, as northerners do on a daily basis. We're talking about vast, vast pieces of land. As the member for Lake Nipigon last night related, he listed the number of countries that have incredibly smaller territorial breadth than his riding will have once it suffers from so-called redistribution. The north is losing five of its northern representatives. The north is a special part of Ontario, one which I believe most Ontarians are committed to, but it loses its strength here in the Legislature. That's not to say that it has any domination now. The north always seems to be at the end of the line when it comes to being dealt with. The north will, in parliamentary terms, all but disappear after this attack on northern representation by this government.

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Mr Michael Brown: I too appreciate a great deal what the member for Parkdale had to say. I think it's unfortunate that he was not able to show Ontario the redistribution map. This is a bill that is totally about boundaries. This is a bill that's totally about geography. This is a bill that obviously needs some understanding by the people of Ontario about what these boundaries actually mean.

One of the things that has upset northern people for a long time is the fact that Ontario roadmaps show northern Ontario on one side and southern Ontario on the other.

You say, why does that upset us? It's because the scales are different, the scales are totally different. It makes it appear as if southern Ontario is the same size as northern Ontario. The fact is that northern Ontario is nine times as big. To be clear, what it means, if you look at that, is that under this new redistribution bill, 10 members will be expected to represent 90% of the land mass of the province. And in that reduction from 15 to 10, the five ridings that are lost are the rural ridings; the north loses 50% of its rural representation. We in the north, who supply huge flows of revenue to the treasury of Ontario emanating from our resources, whether it's forests or mines or agriculture, just cannot understand why a government would reduce representation to five members from 90% of the land mass.

Mr Martin: I also wanted to comment on the speech given by the member for Parkdale, and to say that he made some very valid and interesting points. I was intrigued most by his comment about the flatbed truck and the analogy he was trying to make. It took me a while to figure it out, but I think he was saying that because of flatbed trucks getting in the way, Mike Harris is not able to see the real Ontario out there and what's happening to people.

The last time he had big trucks out in front of this place was to make a point about breakfast clubs for children, after he took 22% away from their parents so that they could no longer feed them; that he's going to put breakfast programs in schools. There were these huge, big flatbed trucks, and when they moved, lo and behold, standing in front of the Premier — and it was really interesting, because the Premier on his own would not have chosen to have been there — were about 1,000 firefighters who were equally ticked off at the Premier because of what he's going to do to them down the line. They know what's in that package of legislation that's coming before this House in the not-too-distant future, that bullet. This is another Trojan horse. Firefighters across this province are going to be demolished.

He can surround this place with OPP officers in flak jackets, he can surround this place with flatbed trucks or half-ton trucks or whatever it is that he wants, but sooner or later the camouflage comes down and he's got to see what's going on. Hopefully, at that time either he'll change his mind or the people of Ontario will turf him.

Mr Len Wood: I just want to add a few comments on the member for Parkdale. He made an excellent presentation over the last half-hour on why this piece of legislation doesn't make any sense, and he gave a number of graphic examples.

I was paying attention to the member for Algoma-Manitoulin pointing out that the northern Ontario road-map is on one side and southern Ontario is on the other side. It tries to give the impression that southern Ontario is just as big as northern Ontario. If we wanted to move the Legislature to the centre of Ontario, it would actually be moved to the town of Hearst. Hearst is the actual geographical centre of Ontario. That would make just as much sense as the fewer politicians legislation that is brought in here.

We know that both the Premier and the Treasurer, and a number of people, have consistently talked against this

legislation until they decided that they were going to use a few slick words in their election campaign and make promises for fewer politicians and a 30% tax break for the wealthiest people in the province.

Today we listened to the Premier make a statement in the Legislature saying: "I'm in trouble. I'm going to have to extend the Legislature further before Christmas and we're going to have to bring the Legislature back in January and February because we've made all these promises out there." Now it's like a farmer, where the wheels fall off the wagon. We've seen Mike and Ernie and everybody, all the cabinet ministers, they've torn Ontario apart, they've scattered everything all over the place and now they're saying, "We're desperate."

The only good thing about coming back — I don't mind coming back in January — is that we're going to have more question periods so we can get questions from the government answered.

The Deputy Speaker: The member for Parkdale, you have two minutes.

Mr Ruprecht: If we proceed with this legislation, you will create a number of anomalies. One of them of course is going to be that one riding alone is larger than 75 countries in the world. Can you imagine that, Mr Speaker? It's an impossible situation.

I then went on to tell you essentially what is the underlying philosophy of this government to proceed with this bill. Is it because it is efficient and it makes sense or is it because it looks good? I propose today that we're proceeding with this — and I've indicated to you about the anomalies — because it looks good and has dramatic effect when you talk about flatbed trucks coming in front of the Legislature.

Third, what this goes to the bone to ensure — that's the rhetoric of the Conservatives today: "We want to ensure we do more for less and we want to ensure that there will be sufficient service." Mr Speaker, the question today — and you will have to answer it yourself — is, are you creating sufficient services and providing them to the citizens of Ontario or are you cutting for the sake of cutting?

What I say to you today is that the services are going to be reduced; no doubt about it. Not only are they going to be reduced, but you're shifting the burden of payment totally from one population to another. You're saying, "Seniors, pay two bucks extra for every prescription." You're saying to the kids, "Pay for the swimming pool if you want to use it." You say to everyone else: "You want to go to the library? Pay for it." You say to the police: "You want the car towed? Pay for it." You say to the fire department: "You want to come and have a look at a fire? Pay for it." The services are not going to be there.

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The Deputy Speaker: Further debate?

Mr Kormos: Here we are, midnight sittings, as is usual in the last two weeks, it's 9:18 in the evening —

Hon Mr Jackson: I thought they were your favourite.

Mr Kormos: Yes. Let her go. Let's do it all night.

I should tell people, because I know people are watching the legislative channel, that right now on the CPaC channel, the Canadian Parliamentary Channel — it's channel 21 here in Toronto and I think it's channel

21 down in Niagara as well — there's a rerun of the Liberal leadership convention. So if you folks think this is boring, switch over to CPaC and you'll really find out what boring is, because there's hours and hours of blank screen. I don't know whether this is the case, but I'm told one of the leadership candidates allowed himself to be wired with a mike during the course of the evening.

Interjection.

Mr Kormos: No. That happened to a New Democrat in 1990 out in Winnipeg. Who was the New Democrat leadership contender? Was it Simon —

Hon Mr Jackson: Simon DeJong.

Mr Kormos: Simon DeJong, who provided some of the best moments, at least in terms of television coverage, of that convention. I could have had a misrepresentation made to me, but I'm told that Dwight Duncan was wired.

Interjection.

Mr Kormos: It's confirmed. Okay, they had a boom mike following him around. Bear with me for 28 minutes, because Duncan's best moments aren't until towards the end of the convention.

Interjection.

The Deputy Speaker: Order. You know what I mean. Good.

Mr Kormos: The member from Windsor-Riverside, and he was trying to help me all along. That's right.

The member for Windsor-Walkerville, who ran as a leadership candidate, his signs didn't say, "Elect the member of Windsor-Walkerville to be leader of the Liberal Party." Anyway, the member for Windsor-Walkerville, who ran under the name of Dwight Duncan for the Liberal leadership campaign, I'm told was being following with a boom mike. But as I say, there's no need to change channels because the best moments don't come until the few moments preceding the final ballot. Those are the ones — and no disrespect to any of the speakers on this issue — I'm going to try to catch on TV outside the chamber here. It should be interesting.

As I told you, there's been a whole lot of focus paid to the north, and not inappropriately so. The north loses five members here in the chamber. I've heard the member for Scarborough East stand up with a very Toronto perspective, not inappropriately so, I suppose, but not understanding the fact that Ontario is not Toronto by any stretch of the imagination. I've got to tell you, I don't envy Toronto members, because my sense of Toronto — maybe it's because I'm not as familiar with Scarborough East as the member for Scarborough East is, but I think members in Toronto miss some of the opportunities of representatives like those from the north or those from the Niagara region, be it the member from Niagara South-Erie or the member for St Catharines-Brock, or the member for Niagara Falls, or the member for Lincoln, or myself, or the member for St Catharines. I almost said Jim Bradley, Speaker, and if I had you would have stood up and said, "Don't refer to him as Jim Bradley, refer to him as the member for St Catharines." I'll admonish myself. I'll acknowledge that referring to the member for St Catharines as Jim Bradley is entirely inappropriate and I withdraw that.

Most of our communities are relatively small communities. I've been very fortunate in Welland-Thorold

because the riding of Welland-Thorold has logically been the two total communities of the cities of Welland and Thorold, with a total population of somewhere around 65,000, 70,000 people. At the end of the day, I notice, from our very own parochial points of view that the member for St Catharines and me — I don't have to refer to myself as the member for Welland-Thorold, do I? Of all the six members in the region, our respective ridings suffer the least by this redistribution. The whole of the city of Welland remains in the riding which will be called Niagara Centre. The city of Thorold — and why did the feds do this? Why? They shaved off the east side of Thorold, Thorold south and Port Robinson and made them part of the Niagara Falls riding.

I know already from having been down in Port Robinson at the Port Robinson volunteer fire department Remembrance Day, which was on November 17, a week after — you see, what happens is that these communities understand each other. They're side by each. So Thorold has a Remembrance Day and they try to coordinate it so that their Remembrance Day ceremonies aren't the same as Welland's. Port Robinson adjourns it for a whole week so it's the Sunday after the Remembrance Day that is celebrated in Welland and Thorold.

I was down in Port Robinson. That's over on the east side. That's east of the new canal. I just want you to understand the area I'm speaking about. It's east of the new canal, and it's the very south end of Thorold. What happened was that the bridge got knocked down a good 20 years ago on the Welland Canal by a laker that was travelling through. It did. The bridge master hadn't raised the lift bridge in time for the boat to pass under it, and the lift bridge was knocked down. What happened is the feds abandoned Port Robinson. Port Robinson had been East Port Robinson and West Port Robinson, connected by the bridge. The feds reneged entirely.

Mr Baird: The Liberal government?

Mr Kormos: Yes. As it was, it was Liberals.

Mr Baird: I thought so; sounded like it.

Mr Kormos: Then when Tories were elected, they wouldn't rise to the occasion either, frankly.

Mr Baird: They don't clean up Liberal messes.

Mr Kormos: Well, it was a shipping mess.

Interjection: Where were you?

Mr Kormos: I wish I was there with a video camera, because I'm not bad with a video. But I missed the collision with the boat and the bridge.

What happened is that Port Robinson has been divided in two. Port Robinson has remained very isolated, to the point where even travelling there by car is a little circuitous. Thorold South has similarly been isolated from the rest of Thorold. It has very much its own history, but it recognizes itself as part of the city of Thorold.

These two communities, Port Robinson and Thorold South, are no longer going to be a part of the riding of Welland-Thorold. They're going to be a part, entirely inappropriately and illogically, of Niagara Falls riding. They have nothing in common with the city of Niagara Falls. Their boundary is there, but it's not a boundary where people are living side by each.

Mr Baird: Bart Maves will take care of it.

Mr Kormos: Bart Maves has a problem too. He made me do it, Speaker. I withdraw that. Of course it's not Bart

Maves; it's the member for Niagara Falls. Now, the member for Niagara Falls, Bart Maves, has to share a new riding with the member for St Catharines-Brock, who was Tom Froese before he became the member for St Catharines-Brock. The riding of Erie-Lincoln is one which assumes generous proportions, because it stretches all the way from Stoney Creek south, Grimsby, Vineland; east —

Interjection: He's going to be in Hamilton East.

Mr Kormos: That's right, and what does my friend say about that? It stretches east all the way across through to Fort Erie. So, you've got communities like Grimsby, Vineland, Lincoln, traditionally, now joined up again in that L shape across the bottom of the Niagara region, communities with very little in common.

I understand, because when I look at the data this riding of Erie-Lincoln still has a smaller population than the ridings of Niagara Centre, than the riding of St Catharines or than the riding of Niagara Falls. But even to get the approximate number — because it has 91,000 as compared to 99,000 in Niagara Centre. So we've got a riding that has still a lower population but starts to cover some pretty big territory, some pretty big geography.

You've got a riding where people can't identify with each other inside the riding. The people in Fort Erie have nothing to do — it includes the town of Dunnville. Again, good enough people in their own right and worthy of representation, but issues that are very different: Dunnville on the Grand River; Fort Erie far east of it on the Niagara River. Fort Erie, a border town; Dunnville very much a historical, traditional, agricultural, commercial centre.

These people have nothing in common. They don't want to be represented by the same member. I really believe that. People in Dunnville identify very much with the western part of what will be Erie-Lincoln riding, perhaps more so going up northwards towards Stoney Creek and Hamilton, which is where Dunnville people tend to go. For instance, they go up to the Lime Ridge Mall and those malls up on top of Hamilton Mountain. They identify more with Hamilton than they do with east of them, along Lake Erie, along the way through Port Colborne through to Fort Erie. Who is the member for Hamilton Mountain?

Mr Trevor Pettit (Hamilton Mountain): Trevor Pettit.

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Mr Kormos: Oh, he wants a hit. Trevor Pettit told me that he's the member for Hamilton Mountain. I don't know what happens to his riding.

Mr Pettit: It gets bigger.

Mr Kormos: His riding gets bigger. Whose riding does it consume?

Mr Pettit: It consumes a portion of Hamilton West.

Mr Kormos: Whose riding is that?

The Deputy Speaker: This is not questions and comments yet.

Interjections.

Mr Kormos: It's just a little bit of interjections. Whose? Mrs Lillian Ross.

The Deputy Speaker: No, please. The member for Welland-Thorold.

Mr Kormos: Mr Speaker, I appreciate you containing the government backbenchers upon whom I've been relying for some information about the nature of their riding redistribution up in Hamilton. They all want hits. After I'm finished they can rise, and a couple of them have monopolized the two-minute responses, hoping that people are still tuned in here rather than to CPaC. I'm confident that by now people have tuned into CPaC, notwithstanding that they anticipate it will be far more boring than what's happening here.

You've got members here who have been monopolizing the two-minute responses, but I've noticed that the Conservative backbenchers have stopped participating in the debate by way of making speeches, by way of making comment on their bill, Bill 81.

Mr Gilchrist: To afford you more time.

Mr Kormos: No, the problem is that I wish we could have more time. I could use more time, but we've only got 30 minutes. The last government, it seems, wanted to avoid the phenomenon of one member monopolizing huge blocks of time hour after hour.

Mr Baird: We could use more time.

The Deputy Speaker: The member for Nepean, please.

Mr Kormos: I think these government members should enjoy the fairness that was generated by those rules restricting comment speeches to 30 minutes. That gives them a chance to join in the debate too, and Lord knows, the government's going to move closure on this soon enough. They've got to jump in and get involved in the exchange now, before their own government effectively squeezes them out of the debate by virtue of a closure motion or a time allocation motion.

I think the constituents in Niagara South, the riding that handles Port Colborne and Fort Erie, would dearly love to know how the members for Lincoln and Niagara South are going to resolve the fact that not both of them can run as Conservative candidates in that riding.

I'm sure the people in Niagara-on-the-Lake who are represented by their representative now, who is the member for St Catharines-Brock, want to know how the member for St Catharines-Brock is going to resolve the conflict that's going to arise with the member currently for Niagara Falls.

These ridings are finding themselves disappearing, not just expanded to. Again, Welland-Thorold, short of the fact that the people on the east side of Thorold, Thorold South — the people in Port Robinson are mad as all get out and told me so when I was down in Port Robinson; at the Remembrance Day parade a couple of weeks ago, they told me so. They don't identify with Niagara Falls. They belong to the community of Thorold.

I re-read, because I received around three of them at my door in the provincial election, the Common Sense Revolution. They were the glossy versions. I've got a newsprint version here that's been kept in reasonably good shape. They did announce, in the Common Sense Revolution, their proposition for fewer politicians. They announced that they were going to enter into discussions with the federal government to ensure that the new boundaries are fair. They even bought into the 99 ridings, because at the time they published their blue book they

were still under the — again, legitimately so — belief that there were going to be 99 new ridings as a result of the federal redistribution. As it is, there are 103.

Where they failed the people of Ontario, though, was to ensure that the new riding boundaries have any sense of fairness. Had they gone down to Niagara, they might well have heard support for Pelham being brought into Niagara Centre riding, the old Welland-Thorold as it is. There is nothing in itself illogical about that, other than increasing the population that one has to service, and that's a different issue. But they certainly, as well, would have heard from people in Thorold who live in Port Robinson and in Thorold south who say: "No, we don't want to be part of Niagara Falls riding. It's unreasonable for us to be a part of that association."

In the same section in the Common Sense Revolution, the same part that talks about new riding boundaries so as to create fewer politicians, one of the problems with the fewer politicians is the fact that — you'll remember it was Pierre Trudeau some time ago who said that once a backbencher is but 15 minutes away from Parliament Hill, he or she is a nobody. I've got a feeling in this government, even when those backbenchers are sitting in their seats in the Legislature, in the chamber, they are but nobodies.

I'm concerned. I'm concerned about what I read from authors like Morley Kells in the Toronto Star about the Soviet nature — that's my word, not his — but the Soviet nature of the imperial rule, this top-heavy centralism, and again, I'm not unfamiliar with it. I know that it can become very oppressive at times. I also know that it can be overcome, that the backbenchers can make themselves relevant to the parliamentary process if, for instance, they participate in debates like this debate right now; if, for instance, from time to time when their government is wrong, they tell their government it's wrong; if from time to time they respond to that Diogenic search.

The Common Sense Revolution purported to say that fewer politicians — that the sole reason was to spend less money on MPPs and presumably their offices and support staff. I don't know what the authors of the Common Sense Revolution understood by way of what MPPs do in their ridings, but I know what we do down in Welland-Thorold. As I mentioned earlier, it was a standard that I acknowledge was set years ago by Ellis Morningstar, who was a long-time Tory member — a real Tory, mind you, not a Reform-a-Tory — a long-time Progressive Conservative member who sat with Davis, sat with Robarts and I believe sat with Frost as well. He set a standard for constituency work that was unparalleled at the time.

Mel Swart, who got elected back in 1975 as the member for Welland-Thorold, expanded on that constituency work that Ellis Morningstar did, and as I indicated earlier, with all candour, I've been working as hard as I can to meet the standard that Mel Swart established, that threshold.

I'll tell you what we have. Our budgets are becoming increasingly limited, and I tell you with candour that yes, my constituency office and my office here at Queen's Park use the resources that are available to us so that we can hire staff. We've got three good staff down in

Welland: Peggy Dobrin, Marilyn Bellamy and Claudette Therrier. They work hard and they work long days. They process the applications for birth certificates but they also do, very actively, workers' comp work, hearings and appeals; they do Canada pension plan hearings and appeals; they do Unemployment Insurance Act hearings and appeals; they do immigration work. They've struggled for the last three or three and a half months with a family support plan that's been all but shut down. It's a real from-soup-to-nuts sort of advocacy that those people do, and our resources are totally utilized with the communities of Welland and Thorold.

Look, we'll take on the issues of the people of Pelham, no two ways about it, because as it is now, we more often than not get calls in from other parts of Niagara or other parts of the province, for whatever reason. I'm not criticizing other MPPs' riding offices, but we take on their work too. I try to take the staff and say, "No, we've got to stop doing that," and we try to for a couple of days but then the calls come or the letters come and we get drawn into it. We do a heck of a lot of insurance work, people involved in mediation and arbitration. We have a complete gamut of things.

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Here in Toronto, again the budget only allows for one staff person. That's Ezia Cervoni, who works long days, nine, 10-hour days minimum, handling all sorts of advocacy work, dealing with legislative matters and dealing with stuff both from the riding and beyond. I make no apologies for utilizing the relatively modest resources that are made available to an MPP by virtue of his or her election.

So the Common Sense Revolution said that "cutting the number of MPPs by 24% will set an example of cost-cutting to be followed by all levels of government.... As well, we will end the sweet deals politicians have created for themselves." The words are very important: "We will end the sweet deals that politicians have created for themselves." "The sweet deals."

"The tax-free benefits paid to politicians will also be abolished. They will be paid a straight salary, just like ordinary Ontarians."

Do you know what this government did when it purported to end the pension plan and eliminate the tax-free portion of salaries? They gave each and every MPP a pay increase. They gave each and every member of this Parliament a pay increase, after they had promised to end the sweet deals that politicians make for themselves. They tried to tell people that they were merely converting the tax-free portion into its equivalent taxable portion.

Let me tell you, the base salary of MPPs now is \$78,005 a year, at least that's what my salary is. I acknowledge it, and I'm the lowest-paid member in the assembly. There are a few of us who receive but the base salary, not in the government benches, but here in the opposition benches there are more than a few of us who receive but the base salary.

Figure it out for yourself. How was this a pay increase? Well, simple math. What was the base salary before? It was \$42,000 and change. What was the tax-free component? It was \$14,000. Let's assume, just for rough figuring, that you convert it at a 50% taxable

income rate, so that turns the \$14,000 into \$28,000. You're still only at \$70,000. The taxable equivalent of what we were receiving was only \$70,000, and this government passed legislation that pays \$78,000 as a base salary to MPPs.

Mr John L. Parker (York East): How about per diems?

Mr Kormos: What was that heckle?

Mr Parker: Per diems.

Mr Kormos: Per diems are gone. Some of us didn't take them even when they were there.

Interjection.

Mr Kormos: You had a choice. Either you agreed with them or you didn't. I made my position clear in committee work that I did after this government was elected that this government talked about attacking the weakest and the poorest in our society and I was going to be goldarned if MPPs should be taking a per diem when this government is cutting away at the poorest, at the sick and at young people and students.

This government gave its members a pay increase, notwithstanding that it promised in its Common Sense Revolution that they would "end the sweet deals that politicians have created for themselves." Well, that pay increase was the sweetest deal that could ever be created, and that's added on to the plethora of perks that accompany, as often as not, being in government benches.

People are understanding more and more clearly that your effort to reduce the number of MPPs has nothing to do with saving money, because why would you up the salary and then announce that you're reducing the number of MPPs?

Mr Bradley: Did the salaries actually go up?

Mr Kormos: The salaries actually went up.

Mr Bradley: I thought I got a pay cut.

Mr Kormos: Member for St Catharines, at the end of the day you enjoyed approximately an \$8,000-a-year pay increase as a result of this sweet deal that the Tory government gave themselves and its backbenchers. And they're talking about saving money by reducing the number? What they're talking about is reducing the amount of activity that takes place here at Queen's Park and across the province by representatives of people, representatives of communities like Welland-Thorold, Pelham, St Catharines, Niagara-on-the-Lake, Port Colborne, Fort Erie, Lincoln, what have you.

We're looking at a government that is telling boards of education: "Begone, we don't need boards of education. We've got a Minister of Education here at Queen's Park who can make decisions for local boards." Yeah. We've got a government that's telling city councils: "Merge. Be prepared for megacities. Don't have direct representation." Run the risk, with their proposal for a megacity here in Toronto, of having a regional chair, or whatever the title of that regal role will be, who may well end up being appointed by Queen's Park, not even elected by the people of the community that is being led by that person. We've got a government here that refuses to use parliamentary committees in such a way that input is received and appropriately translated into amendments, where criticism is shunned and ignored and held in disdain.

We've got a government here that scripts its members, some scripts being better than others, and uses, I suppose

as whips are wont to do, the ruses and incentives and all the angles it can to whip its members into shape, other than the occasional member who takes a walk, I must say, from time to time, like members took a walk on Bill 75, the slot machine legislation, like members have taken walks on Bill 26. But we haven't got, among these ranks, a member yet who will stand up and not only speak out perhaps in his riding, where it's convenient, but come here to Queen's Park and vote according to what he or she believes in or has expressed in the riding.

There may well be a need for redistribution, for new riding boundaries. I don't dispute that. This government promised that it would engage in dialogue and consultation with the federal government during the course of their setting the new boundaries to ensure the new boundaries are fair. It's already been said many times that even from a federal perspective the new boundaries, more often than not, are just plain nuts, entirely unsuitable, that they fail to take into consideration the need to balance between territorial range and population, that they are more Toronto-oriented.

Once again small-town Ontario and Ontario outside of Toronto get the shaft while Toronto gets the gold, because a model that's very Toronto is being applied to places that are oh, so unlike Toronto, like northern Ontario or Niagara region.

Mr Bradley: Even the Standard said it.

Mr Kormos: The member for St Catharines, Jim Bradley, who taught school for a good number of years in St Catharines and spoke well with respect to this issue, gave me an editorial from the St Catharines Standard, October 2, 1996. You've got to understand that this is a Conrad Black newspaper. Barbara Amiel undoubtedly spends a lot of time with the fax machine screening editorial content before it ever gets to the print room. Babs could be up right now, at this very hour, in London or wherever she's hanging her hat tonight, screening what's going to appear in tomorrow's Standard. The St Catharines Standard says, "Downsized Legislature Could Hurt Representation." The editorial condemns, Conrad Black condemns, the proposition of downsizing for the sake of attacking electoral representation.

The Deputy Speaker: Thank you.

Mr Kormos: By God, Speaker, are you sure I can't go on longer? There's so much more to say.

The Deputy Speaker: Your time has expired. Questions and comments?

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Hon Mr Jackson: I was delighted to listen to the contribution made by the member for Welland-Thorold, but part of his revisionist history lesson this evening was to reference the issue around the reduction in the number of politicians that this government is committed to, the exposing and opening the windows and letting the light in to show all these perks and tax-free allowances.

I think the member got so confused in his rhetoric that when he started talking about a pay raise he must have been referring to the fact that he has, as he referred to, an overworked assistant who's sitting here in this building working all by herself, doing much of your work at your constituency level while you're not only here contributing as the MPP but also still actively engaged as a lawyer in

Ontario. I think part of the member opposite's confusion must be that he's still a practising lawyer, and he gets confused from time to time about just how much money he really does make or how much he is contributing to the tax coffers of the province.

I was pleased with his reference to Mel Swart. He was a very colourful and highly respected member of this Legislature. I enjoyed working with Mel for quite a few years. I remember a quick story, and the time is not going to let me finish it. I recall him standing up in a committee I was on with him when we were examining drug legislation. The then Liberal minority government had decided they were going to offload and that some of the cash-paying customers for drugs in Ontario would be subsidizing ODB recipients. Mel, once he realized this, rose to his feet and objected strenuously, and within 20 minutes the member from Windsor, his House leader, came and extricated him from the committee hearings, and that was the last we heard from Mel. It was a sad commentary indeed on the heavy hand of the leader of the third party of the day.

The Deputy Speaker: Thank you. Your time has expired.

Mr Bradley: I heard the member speak of the Conrad Black empire, in terms of the ownership of newspapers and how this relates to the coverage in who is for and who is against this legislation.

I was wondering what his view was of the attempted closing of the Pelham Herald, which had been in operation for almost 40 years and provided excellent service to the people of Pelham. The Pelham Herald also was making a profit and doing well, providing a public service in the area. There was an announcement that since Conrad Black had taken over the Southam chain, the Pelham Herald would be terminated. There was a great outcry from people in the community and from some of the local politicians, and I understand that they may well have relented and decided to keep the newspaper open.

I wonder if the member feels perhaps there is some hope that this gigantic empire, with one individual controlling 58 out of 104 daily newspapers in Canada, if that's healthy for all of us, if indeed Mr Black will be looking for pay cuts from the people who work for his newspapers, like about a 25% pay cut — and whether he feels that the new contributors to the St Catharines Standard, Barbara Amiel and Andrew Coyne, add to the newspaper.

Anyway, this was an excellent editorial to which the member made reference, October 2, 1996, and the Standard said:

"...the downside lies in the increased clout that MPPs from the area surrounding Metro Toronto will exercise in the Legislature and the reduced muscle of rural and northern districts. And let us not forget that Niagara's voice — like many 'outer areas' such as Windsor — will be weakened when its representation is reduced from six MPPs to five."

Mr Len Wood: I'm pleased to be up for a couple of moments to comment on the member for Welland-Thorold. He made an excellent presentation on how Bill 81, the Fewer Politicians Act, is going to hurt the province.

I was listening to him intently when he talked about when you have flawed federal boundaries and the province comes around under the leadership of the Premier and says, "Well, maybe the federal boundaries are flawed, but we're going to continue to ram this legislation through the Legislature."

Here we are at five minutes to 10 at night and we still haven't heard any message back from the House leader or from the whip or from the Conservative cabinet saying they're going to make the changes that are necessary to make this legislation work. There are going to have to be rule changes here for how many people are needed for a quorum. A lot of changes are going to have to take place.

When we travelled up through the north — I know the member for Welland-Thorold wasn't there, but I was on the committee — and there was no support whatsoever for this legislation. Ninety per cent of the presenters from municipalities, chambers of commerce, different individual groups that made presentations, were opposed to it, with the exception that in Dryden we had a defeated Conservative candidate who came forward and said that if she had been elected instead of our leader, Howard Hampton, she would be supporting this legislation. Of course, she got beaten in the last election. I was surprised she even came forward to make a presentation, but she did.

That was about the only support there was. All the newspapers carried headlines that it's a shame that the Conservative government is going to ram this through the legislation the way they are without having a committee set up.

Mr Martin: Mr Speaker, I want to share with you and others my great enthusiasm for the comments of the member for Welland-Thorold. He always speaks so eloquently about the needs of those who are most marginalized and most in need in our communities, has a great empathy for that group of people. As a matter of fact, we've made him the critic for poverty in our caucus, and it's precisely because of his understanding of that that we have done that. Tonight he presents to us just exactly what's going to happen to the poor and the marginalized and the vulnerable in our province by way of this legislation and other legislation and initiatives that this government is passing off as good medicine for all of us.

It's important to understand that all the things this government has done in the last year and a half have targeted primarily and almost solely in our communities those who are most in need, those who are most sick, those who are older, those who are most marginalized and vulnerable. This legislation, because it's gerrymandering in the most devious of ways, is going to enshrine in stone that which they've done. After they've put this legislation in place, with the realignment of boundaries that will happen and the increase in the number of members in the 905 belt, which at this point in our history primarily wants to vote for this group of Tory members, that will in itself ensure that what we have now will be around for a long, long time. We've got to fight really hard to stop it.

The Deputy Speaker: The member for Welland-Thorold, two minutes.

Mr Kormos: I really don't want to use my time addressing this, but I feel compelled to, because I've

known the member for Burlington South for too long. I find it unfortunate that he would use a two-minute response to somehow suggest that I was doing something other than being an MPP. For him to suggest that I am engaged in the practice of law is an absolute falsehood. It simply isn't true. I have no association with any law firm, I have chosen not to —

The Deputy Speaker: Member for Welland-Thorold, you know the word "falsehood" —

Mr Kormos: I withdraw.

I will tell the member and everybody else what I do from time to time. Yes, I'm a lawyer, and I do pro bono work not only for constituents in Welland-Thorold but for people across the province who have asked me to assist them in courtroom litigation. I do it sparingly because it's time-consuming and also because it requires that I pay into the errors and omissions insurance out of pocket when I do it. Since I'm not charging for the work, I have to be very careful about when I do it and how I do it.

Hon Mr Jackson: It surfaces on your income tax form, a few little deductions in there.

Mr Kormos: It doesn't constitute any sort of income tax deduction. The fact is, yes, I do pro bono work from time to time. I've been pleased to accept referrals from people in the government caucus who have asked me to assist their constituents, from the Liberal caucus who have asked me to assist their constituents, and from my own caucusmates who have asked me to assist their constituents and use whatever skills I might have as a lawyer to assist people who aren't eligible for legal aid and who can't afford to hire private counsel.

I think this was an interesting new low for the member for Burlington South. It's unfortunate that he would stoop to that depth with such a cheap shot.

2200

The Deputy Speaker: I would really appreciate it if the debates would not become personal. It's an irritant for everyone. It's embarrassing. It doesn't create a good atmosphere.

Further debate?

Mr Michael Brown: It's important that I speak to this bill this evening. I see this bill as an attack on public servants. I believe that elected public servants are honourable, decent and hardworking people. This bill is just an attack on public servants, elected public servants, and in that manner I find the very title to be offensive.

Members should recognize, need to recognize, that this redistribution is unlike anything Ontario or any other province has ever seen. This redistribution is merely the adoption of federal boundaries. As members would know, after every census the federal government, as Ontario used to, appoints an electoral commission to review the boundaries and set the new ones. The federal government does this in the context of Canada, not in the context of Ontario.

In Canada, there are some anomalies. Provinces like Prince Edward Island are guaranteed, by the British North America Act, four seats in the House of Commons. Under normal rules, they would probably get one member of the House of Commons. Instead they have four. In the Northwest Territories and in the Yukon we have similar situations of guarantees of seats. The population in no

way even comes barely close to warranting that number of MPs.

So we have a federal electoral commission that sets the boundaries across Canada on the basis of some preconceived, constitutionally entrenched anomalies. The province of Quebec, for example, is guaranteed 75 seats. Everything else that is done across the country by the federal government and its electoral boundaries commission takes into account the anomalies in the system, by constitutional guarantee. It is not representation by population. That is nonsense. It has never been the Canadian tradition. It is not in the American tradition. It is not, as far as I know, in any tradition in any democracy in the world.

However, the government often tries to sell this as representation by population. That's an interesting argument, but the Conservatives themselves did not believe that, at least not the old Conservatives, the Progressive Conservatives. Leslie Frost started this with electoral commissions. Leslie Frost set up a non-partisan electoral commission to set the boundaries, as did John Robarts, as did Bill Davis. That was the tradition in this province. It was followed by and even enacted by a Liberal government that finally, on the basis of I guess the 1981 census, put new boundaries in place for 1987.

They would also have us believe over there that the federal process was without controversy and that the electoral boundaries commission set up by the federal government just made a nice report and everything was nice and hunky-dory, swell, that everybody felt warm and fuzzy about it. But that was not the case. If members will remember, the Senate of Canada blocked the redistribution bill. There was quite a period, I think of almost a year, where this bill was hung in limbo between the House of Commons and the Senate. So to say that this is something that happened and it was fair and square and everybody agreed — nonsense. It was also done, as I said, within the context of Canada.

What do we get? We get a political party that promises in their election document, in the revolution document, that they will have discussions about boundaries with the federal government. I ask you, did those discussions take place? The answer clearly is no, there were no discussions, zero, not a one. They didn't talk to each other. They just adopted the easy sloganeering of the revolution. So what did that mean?

Hon Mr Jackson: Oh, no, there's a difference. They thought you were going to win the election. They had no idea that Mike Harris was going to win the election.

The Acting Speaker (Mrs Margaret Marland): The member for Burlington South is out of order. No interjections, please.

Mr Michael Brown: Thank you, Madam Speaker. The election commission set the boundaries and this Conservative Party did not have any discussions whatsoever. The member for Scarborough East admitted as much. He said there were no discussions with the federal government. So that never happened; there was never an accommodation between the province of Ontario and the federal government as to what those boundaries might be — never, didn't happen.

We're presented with a bill. We're presented with a flatbed truck outside with 27 seats. That's politically popular; it was good theatre. Man, who couldn't be in favour of getting rid of 27 seats? But those seats are not the seats of Mike Brown or the member for Windsor-Sandwich or the member for Timiskaming or the member for London Centre or any of the other members. Those are the seats of the people we represent. We are, at best, temporary occupants of those seats.

I'm telling you that the entire concept of what the government is doing is based on just sloganeering. I understand that it's popular. I understand that I'm probably saying things that the public by and large doesn't want to hear. They probably believe that the cause of all the woes in the world is that we've got too many politicians, because politicians rate somewhere after —

Mr Bruce Crozier (Essex South): Used car salesmen.

Mr Michael Brown: Or lawyers — in terms of the public perception. We're right at the bottom of the list. If you call yourself a politician, in the public's view you're not a great guy, or woman, for that matter. So this is about politics; it's not about reality.

But let's look at the reality of what you're doing. It should be interesting to see who's not doing well in this redistribution. First of all, we're going from 130 seats to 103. We're downsizing the Legislature by 20.7%. The north will lose five seats, from 15 to 10, a drop of 33% of its relative strength in the Legislature. A third of the seats are gone and of those five seats that are gone, they're all the rural north, five rural northern seats, seats that represent people on 90% of the land mass of this province.

Mr Crozier: And that shouldn't happen.

Mr Michael Brown: It's incredible that this would happen. Back in 1983, as we started through the throes of redistribution in this province on the basis of the 1981 census, there was an agreement. One of the stipulations that the electoral commission had to deal with was the fact that the Progressive Conservative government of William Davis demanded that there be a guarantee of 15 seats in this place for those who represent the northern region of this province — a guarantee of 15 seats. Before you even start, that was there. There were going to be 15 seats for northern Ontario regardless of the population.

Do you know why that is? That is because northern Ontario, if it were a province on its own, would be the fifth-largest province in terms of population. It would be about the fifth-largest province in terms of gross domestic product. It is in every way an important contributor to the Canadian economy and certainly a huge contributor to the Ontario economy. Its distances, its geography, define the north and it needs adequate representation to speak for those people who have interests in the resources of Ontario and have interests in living in the small communities of the rural north. There are many of us, and we are proud to live there, exceptionally proud to live there. We have a per capita gross domestic product that makes much of the province blush. We are not whining. What we're saying is that we have every legitimate reason to feel betrayed by a government that doesn't understand northern Ontario.

2210

As a matter of fact, that was the view of Mike Harris back in 1985. Mike Harris said: "What would happen with the new changes?" — he was discussing the proposed changes at that time to the redistribution, and this is with a guarantee for the north — "It would split up some of the areas of Springer, Field and Caldwell townships and separate them from the town of Sturgeon Falls and from the town of Cache Bay and from band 10 of the Nipissing Ojibways. I ask the commission to consider the concerns of these communities. Although the numbers" — this is important — "may warrant this change and the proposed ridings may parallel the federal ridings, I ask whether those facts are not offset by the commonality of the communities."

Quite a difference from December 19, 1985, to now. The slogan is unbelievable; it is terrific — fewer politicians. But the reality is the Mike Harris of 1985 I think understood what northern Ontario is really about.

During the election campaign — I think this is interesting. I have read the Common Sense Revolution. I know the Speaker would be very interested to know I had a look at it. One of the things I noticed was that you were going to take five northern seats away from us and I actually put in my literature that that's what was going to happen if you elected a Conservative government. I even bought a few television ads to say that would happen if you elected a Conservative government. I'm sure some of the other members campaigning for one of the other two parties also put that in their election literature. I'm sure none of the Conservative members put it in their own personal literature up there, but the opposition members picked it up. Do you know what? We returned all opposition members from northern Ontario with the exception of the Premier in Nipissing. That's it.

Northerners understood what this meant to their representation. They understood what this government was all about. They understood that this government has offloaded millions upon millions of dollars to industries like the forest industry, to the communities that are around the forest industry, that are supported by the forest industry, to mining, to mining towns. Many of those expenses have just gone to them and at the same time — I see the Minister of Natural Resources here — increased the stumpage rates, increased the flow of revenue from our resources south. So they're putting in a huge amount of fewer dollars into northern Ontario and sucking millions upon millions of dollars from northerners.

Mr Martin: You can actually hear it.

Mr Crozier: You can hear the sucking sound.

Mr Martin: You can hear the sucking sound. You can.

Mr Crozier: It's coming from over there.

Mr Michael Brown: Thank you.

Our economy is strong and northerners are strong. We don't mind paying the bills for the city of Toronto and we don't mind paying our fair share in this province of Ontario. We're quite willing to do that. But we would at least appreciate a consideration that recognizes the contribution the north makes to this province. There is no understanding of that contribution. The contribution is just to take the money from municipalities, to take it

from the resource industries, to take it from our hospitals, to close two hospitals in Sudbury, to downsize in Espanola, to downsize in Elliot Lake, to downsize hospitals on Manitoulin.

To tell you about the efficiency of this government for a second, because this happened and this is why local MPPs are important, I would suggest. Thursday afternoon we received a phone call from the administrator of Manitoulin Health Centre. He said: "Mike, we have sent in a request" —

Mr Crozier: Mike Brown.

Mr Michael Brown: Yes, Mike Brown — "to the Minister of Health back about the first of July. We have asked the Minister of Health to approve that we spend in the neighbourhood of \$90,000 to do relatively minor renovations to our hospital at Mindemoya to accommodate physicians that we have at that hospital." Now, this \$90,000 didn't come from the government. They weren't asking for any money. They weren't —

Mr Martin: Speaker, I don't think we have a quorum in here. Mike, your comments are so good that I think we should have a quorum.

The Acting Speaker: Clerk, is there a quorum present, please?

Senior Clerk Assistant and Clerk of Journals (Mr Alex D. McFedries): A quorum is not present.

The Acting Speaker ordered the bells rung.

Senior Clerk Assistant and Clerk of Journals: A quorum is now present, Speaker.

The Acting Speaker: The member for Algoma-Manitoulin has the floor.

Mr Michael Brown: As I was saying before the government members were here, and I should repeat it because many of them have now come in, on Thursday afternoon, we had a call from the administrator of the Manitoulin Health Centre. He wanted to know what had happened to his application that he had sent to the Ministry of Health on or about July 1. His time was running out. In four days, it expired.

The renovation he was requiring was a \$90,000 renovation to accommodate physicians at the Mindemoya Hospital. The administrator is not one who likes to take the political route. Fortunately, we were able to contact the minister's office and on Monday the approval was there. They received an approval on Monday to convert part of the hospital to physicians' offices and dispense their own \$90,000.

They hadn't asked the government for any money. They had asked the government for permission to spend the hospital's money, the money that the hospital raises through many different fund-raising events etc and through their own good management.

The new constituency that I will inherit or be challenged to run in combines the constituency of the present Algoma-Manitoulin, which as members I'm sure would know comprises the proud community of Killarney on the eastern side of Georgian Bay, the entirety of the district of Manitoulin, the great island — it's 110 miles long and 50 miles wide — a great deal of the district of Sudbury, and over to Algoma Mills and Algoma and includes the great success story of Elliot Lake. That's the present constituency. The constituency is fairly large.

The new constituency will take the entire district of Algoma. It will also include part of the district of Thunder Bay. The neighbour of the member for Algoma-Manitoulin will be a member from Thunder Bay. It also includes fine places like Chapleau that are presently in the Nickel Belt riding.

The differences involved, so that members understand, is the equivalent to driving from Windsor to Quebec City to get from one side of the riding to the other. That will be a challenge, a challenge I would welcome and a challenge that I would believe is not good for the constituents of the area. All the members in the Legislature that I know work very hard, regardless of their partisan politics: New Democrats, Conservatives, Liberals. We spend 70, 80, 90 hours a week doing what we do. It's not possible to spend any more hours doing it. What that means to the constituents is they see you that much less.

2220

In the northern communities, in the communities that will be in the new Algoma-Manitoulin, the vast majority are communities with populations of less than 2,000 people. They're very small. They appreciate and need the intervention of the MPP.

You say, what's the difference? In southern Ontario there are county governments. No such animal in northern Ontario. We're talking about districts. There is no tier. Much of what I represent is crown land. Much of what I represent is what they call — this will be news to government members — unorganized townships. That doesn't mean there's no people in them. Au contraire. There are people in those unorganized townships, or at least in many of them. The reason they're unorganized is they have so few people in them, in most cases, that it just could not possibly support a municipal government.

Who do they deal with when they have a problem that anywhere else would be a municipal problem, a county problem? They call their member of the Legislature because he is the only elected official they have who deals at the municipal or provincial level. You're it. You look after the concerns that in Toronto would be handled by a city councillor or maybe a Metro councillor or by any of that kind of bureaucracy, or if you're in a county of Ontario by your township reeve or one of his councillors or by the warden or county council. There are no such people. There is no such government. It is different.

We often talk about the imperial authority of the Ministry of Natural Resources because in much of the north they are the government. It's the Ministry of Natural Resources that makes the land use decisions. It's the Ministry of Natural Resources that decides where a road will go. It's the Ministry of Natural Resources that decides where you're permitted to have a camp, or a cottage as they call them in southern Ontario. It's that reality I'm talking about.

I look across and people are amazed. They don't know these things. That's what the difference is between being a rural northern MPP and being a southern MPP. There are real differences in what we do, in what we need to do, and it's compounded by the problem that we seem to spend half our lives in cars getting from one place to the other.

In the new constituency, as presented, I will be dealing with bureaucracies from social services, none of which

will be in the riding I represent. They will be in Sudbury for one part of the riding, another part of the riding will be in Sault Ste Marie, and another part of the constituency will come under Thunder Bay, if you can believe it. Can you imagine any of the members sitting here having to deal with just the basic normal problems that come before the Legislature, in recognizing that you have three distinct provincial bureaucracies operating and you have to know the people in them, you have to know who to contact, you have to be able to do the work on behalf of those people. I tell you, it's different.

For me or for whoever represents this constituency, a constituency larger than Nova Scotia, in this constituency the representative will have more difficulty in achieving the kind of constituency work that needs to be done.

What kind of voice will they expect in the Legislature? I'm sure there's a commonality of interests between Manitouwadge, halfway across Lake Superior, and a community like Killarney, almost on the other side of the world, on one side of Georgian Bay, I'm sure there are some things in common, but I would suggest to you there are many things that are totally different.

I would ask any member down here — I think this constituency would be larger than southwestern Ontario, and most of it is populated. It is not a remote area in terms of, perhaps, the absolutely unmanageable constituency of Kenora, in terms of space. This one has people in small communities all through it.

I'm suggesting to you that there are some real difficulties in making sure you can look after the people of South Baymouth and Meldrum Bay and Manitouwadge all at the same time. It will be difficult. I see the Speaker is absolutely bewildered by the size of this constituency. The Speaker, at one time, spent some time with me in Manitouwadge. I recall that.

Mr Crozier: Tell us about it.

Mr Michael Brown: I think she was amazed. It was my first visit to Manitouwadge, back in 1988, when we were touring Geco mine. It's a fine community, but it is a long way from Sudbury.

I also want to discuss a little bit about what's happening to rural representation in general. We know the north loses 50% of its rural seats. Rural seats go down — let me just find it here — or maybe I won't talk about that. I will. Rural seats across the province drop considerably. The east drops from 22 seats to 17, the west from 25 to 20, the Niagara-Golden Horseshoe area from 12 to nine, the central part of the province from eight to six. The GTA, called the 905 part of the GTA, increases — it's the only increase there is — 5.5%. Compare these against the norm of 20; you can tell why northern people are upset. They are truly upset.

Just to bring you some thought: At the Sault Ste Marie hearings, we had a presentation from Ron Bonnett, the district director of the Ontario Federation of Agriculture. He says:

"Northern Ontario often feels that southern Ontario has no concept of the time and distance involved in travel in our area. Some southern politicians believe they can fly into a northern community and understand the issues of the north. This is not true. Our communities are scattered, our roads are substandard, our weather is unforgiving,

and our map is on a different scale than the rest of Ontario. I think the only way to put things in perspective is to take you on a drive across the new riding. Starting in our home community of Bruce Mines we decide to travel to the new eastern boundary of the riding. Assuming we have good weather and no traffic we can be in Killarney in about three and a half hours. Here we stop and visit the residents for an hour but we must leave because we have a lot of riding left to visit. We travel back to Espanola, head down to Little Current on Manitoulin Island, slide over to Gore Bay, on to West Bay, trek across to Providence Bay, drive on to South Baymouth and slide up to the Wiki reserve. We stop in each community for an hour, eat our meals in the car, and only stop for emergencies and gas. We have now been on the road for 15 hours. If we were to continue on we would visit Massey, Blind River, Thessalon, Richards Landing, Hilton Beach, Echo Bay, Wawa, White River, Hornepayne, Manitouwadge, Chapleau. In total our driving and stopping time will be nearly 80 hours. We have not stopped to eat, we have not slept, we have not had any trouble on the road. We have covered a land mass larger than some countries and we have visited only a portion of the communities."

From Mr Bonnett's presentation you can take the attack that northern people and rural people all across the province feel about this wrongheaded redistribution that, as I demonstrated at the beginning of the speech, came from a process that was never intended for Ontario.

I should conclude my brief remarks this evening by talking about what I think should happen, because I believe this. I believe we should have a redistribution. I believe that's necessary. I believe it should happen. I should think it would happen along the lines that Leslie Frost and John Robarts and Bill Davis suggested, with an electoral commission. I believe there should be a guarantee for northern seats, and I was shocked and dismayed as the arrogant Tory majority on committee defeated that very basic right of northerners to 15 seats.

I think we should have a redistribution. We may in fact be able to do with fewer politicians, with fewer public servants, but I would suggest to you strongly that the government forget about this, get a made-in-Ontario solution based on made-in-Ontario parameters.

2230

Mr Len Wood: It's a pleasure for me to make a few comments on the member for Algoma-Manitoulin. He is a northern member representing a large riding, and he's explained to the government members what this bill is all about, as we all have been doing over the last couple of nights. It's now 10:30 at night, and we still haven't got any message from the government that it's going to withdraw this bill and correct it and come in with a new piece of legislation or set up the proper boundary commission that will go out and do the boundaries right in the province of Ontario, the way they should be, rather than just mirroring the federal boundaries, which are flawed.

We know that when the new federal boundaries come into effect on January 7 they are flawed. The Liberal government in Ottawa took one member out of the north so that it could create four new ridings in southern

Ontario. There was no plan or strategy in doing these boundaries. It started under the Conservative government in Ottawa and then it got tied up in the Senate and, as a result, they just imposed the new boundaries.

When we were having hearings up through the north, we heard all kinds of people who made presentations to the election boundaries commission for the new federal ridings, but they didn't listen; they went ahead and brought it back to Ottawa and imposed the boundaries. Now we end up with flawed federal boundaries and in Ontario we're going to end up with flawed provincial boundaries. It's unfair to the constituents in the province of Ontario, especially when you see that northern Ontario is going to lose 50% of rural members and 33% of overall members. They're going to go from 15 members down to 10. The constituents who want to talk to their MPP are very upset at this legislation.

Mr David Tilson (Dufferin-Peel): I must say I always enjoy hearing the member for Algoma-Manitoulin. He has wonderful stories about the north which he always seems to put into his speeches. But I must say he made his presentation tonight as if this is something new. This isn't something new. This was discussed and debated in the last provincial election. I can tell you, we won, you lost. I remember debating it. We debated it during the election campaign. It was an issue that was debated. I debated it with my NDP and Liberal friends, and I must say that my impression was that the people in my riding supported it.

I can tell you the reason we're doing this, of course, why the Conservative government is doing it. Yes, one of the reasons is because we're being forced to do things like this. We are making a smaller cabinet. We're doing all kinds of things. We've got rid of MPPs' pensions. We've got rid of the tax-free allowances. We're reducing internal government administration. There are all kinds of things. Most of the things we're doing you don't like, but we have no choice but to do it with the debt that we have in this province.

One of the things is getting rid of provincial politicians. We've got too many of them under the circumstances. You started in the last minute of your comments to indicate what you would do. My interpretation as to what you would do is that you would increase the number of politicians. If the member followed the old formula that was used in bygone days, we would have about 153 members. We can't afford 153 members. We can't afford the things that you've suggested over the years, and that's why we are being forced to do these things.

The member has commented and, as I say, I always enjoy his arguments about the north. You are being well looked after in the north.

Interjection.

Mr Tilson: The issue with respect to population, you are getting more members proportionately than the rest of the province. However, the member's speech was interesting none the less.

The Acting Speaker: I ask the member for Timiskaming to withdraw his comment that he made a moment ago.

Mr David Ramsay (Timiskaming): I withdraw, Madam Speaker.

The Acting Speaker: Thank you. You're doing a question and comment now?

Mr Ramsay: Yes, I am. To the member for Dufferin-Peel, I wish he had listened to what the member for Algoma-Manitoulin said, because he said he was not against redistribution of seats and he wasn't against the reduction of MPPs. I share that view. What we're against is that you have accepted holus-bolus a federal template and applied it on Ontario for its representation at its capital here at Queen's Park. That's what we object to, because the needs and concerns for Ontario in regard to Ontario politics and policies are different from what the national scene requires for national representation at our capital in Ottawa. That's what we're talking about.

What I would do is that we would form an Ontario commission to study it. You could give the guideline, even if you said the same number of seats, but I would like to have a discussion in Ontario based on Ontario representation.

You say this was discussed before the election, but I remind you that the people of northern Ontario rejected this policy because they didn't elect one of you at all north of the French River. This was one particular reason why: They knew that if the Harris government got elected, they would lose representation here at Queen's Park, and that's exactly what you're doing. We are having our representation reduced by 33% and northerners resent that. The rest of the province is being cut by 20%. Again, we're seeing a diminution of northern representation here in the capital of this province.

Northerners built this province. They generated the wealth of this province that you enjoy in affluent southern Ontario. I have lived in both parts of this province and understand the gut feeling of northerners that we have brought that wealth here. Now, over the last 30 or 40 years, we've had a lot rougher time in northern Ontario. We'd look to our province for that representation, and what you're doing is cutting: cutting all the services in northern Ontario and, finally, you're cutting the representation that we sorely need to continue to build our case from all sides of this House.

Mr Bisson: The member for Algoma-Manitoulin made the point, and I think it's clear, that the government members in these speeches time and time again have tried to say how they're doing things for northern Ontario, how they're working on behalf of northerners and how they're making sure that things are going to be better in the north. But it is the Conservative government of Mike Harris that is actually putting an axe to northern Ontario. How do we know? Because we come from there and we live there.

Here are some of the things they've done: norOntair, gone. No longer is norOntair in place. They've sold it off, they've privatized it, but the interesting part is that they put in Bearskin air services, a private airline, and they're paying \$5 million in subsidies to the private sector for something that used to be done by the public sector. That's the fact; that's what you have done.

You have cut road maintenance throughout all of northern Ontario. Now highways through northern Ontario are in treacherous condition in the winters. People in northern Ontario have noticed this, have

commented to all of the northern members, New Democrats and Liberals alike, about the conditions of our highways because of the cuts in road maintenance.

You have cut funding to hospitals in communities like Matheson, Iroquois Falls, Timmins, Sault Ste Marie, Smooth Rock Falls and Hearst. The list goes on.

The fire stations are being shut down. The only place where we haven't shut down fire stations is in the riding of the Minister of Northern Development and Mines, who doesn't even reside in northern Ontario. The forests are up north; they're not down where he is, yet they have shut down the fire stations in northern Ontario.

We look at communities like Cochrane. Cochrane has been devastated by this government. This government has closed down more ministry offices, has laid off more ministry staff in the town of Cochrane. It would be equivalent to people in Toronto coming and shutting down all of the major employers in the city.

So when members stand in this House and say they are doing things in northern Ontario, you are doing things, all right. You are wrecking the northern part of this province, and people will not forget it.

The Acting Speaker: The member for Algoma-Manitoulin has two minutes to respond.

Mr Michael Brown: I appreciate the comments from all members from all sides on my particular intervention.

I find it really quite offensive for a southern Ontario member to lecture us about what was said in an election document that was totally rejected by the people of northern Ontario; an election document that, by the way, they have never fulfilled the promise of in terms of representation. The discussions never took place between them and the federal government that they promised in the Common Sense Revolution. They said, "Oh, well, some low-level civil servants talked with the federal government," but the discussions never took place. They said: "We're happy with that. We're happy that you've redistributed the boundaries on the basis of a Canadian context. Why would we care?"

2240

I said to the parliamentary assistant — Mr Gilchrist, the man carrying the bill — "Look, if what this is really about is saving money, then what you will do is subcontract all elections in Ontario to the federal government." You will. You will harmonize every rule we have in Ontario with regard to elections with the federal government and you will hold the election on the same day as the federal government so that all you need to do is to print a little longer ballot. That would save you money, but would that be democracy? No. It's the same principle.

This is nonsense, this is absurd. You should be ashamed. This is about democracy. It's about making sure the people's voices are heard in the entire province.

The Acting Speaker: I remind the member for Algoma-Manitoulin and all members that when you refer to other honourable members, you do so by their riding and not by "that man" or "that person" or their personal name.

It's my understanding that the third party is forfeiting the rotation and you're now going to the member for Windsor-Sandwich. You have the floor for further debate.

Mrs Sandra Pupatello (Windsor-Sandwich): I do want to take some time. I was able to speak to this bill

on second reading. After that second reading of the bill, the Fewer Politicians Act, I also had the opportunity to travel with committee and hear submissions from real people out there.

I spent a day in London, in fact, with some of our colleagues in the House and got to hear what the people on the street think about the Fewer Politicians Act. We were certainly in for a surprise there. Today I want to review with the House my comments in general that surround the comparison of the bill, the Fewer Politicians Act, supposedly aimed at saving money for the Conservative government, with the increase in the Premier's office, which is obvious and which has yet to be denied by any member of the Conservative side, and the transfer of power that is the result of the increase in the Premier's office.

I'd like to speak to what this bill does to agriculture, to areas of the north. I'd like also to mention the negative effects of Bill 81 on the francophone community in Ontario, the comparison of our ridings — what they are today, what they will be — to the federal ridings and what effect that has. I'd also like to give a couple of examples that were of particular interest, and those were submissions made to the committee while we were travelling; pay some small time on the actual name of the bill, which is offensive in and of itself. We have a couple of comments as well from members of the news media, who don't even come from parts that might be affected by the bill but I think the House would find them of some interest.

I'd like to speak specifically first to the office of the Premier, because much has been said that this bill is about saving money and that you might save some \$11 million by reducing the number from 130 to 103 in Ontario. The reality is that in the office of the Premier — and this form, actually this list, comes from the Premier's office. This list, these facts, these numbers had to be submitted to the estimates committee. The Premier's office had to make its submission on the estimates of its costs, what they were and what they are going to be, and here is the reality for the Conservative members in this House to note.

In the year 1995-96, the estimate of the Premier's office was \$1.887 million. Now that compares to the estimate for 1996-97, and that figure is \$2.716 million. I defy any Conservative member in this House to stand up and reference this figure. The reality is that while we are busy cutting elected voices in the House, here at Queen's Park the Premier's office has the gall to increase expenses of the Premier's office by 44%. That, my friends, is very political.

The outcome may not be so obvious. What really happens when the Premier's office increases expenses by 44%, a number, my friends, given to us by the Premier's office — this is a figure that you can't hide. Much as the Premier will find ways to shove expenses to this ministry, shove expenses to that ministry, the Premier's office is increasing expenses by 44%. What does it mean while they cut 130 to 103? Not so much in many parts of Ontario, but a significant amount in other parts of Ontario, because the wielding of power becomes centralized where? Where they have 44% more in their budget,

a 44% increase in the Office of the Premier to draw more power to the Premier's office so that the staff of the Premier's office wields all that much more power. Against whose voice? Against the voice of rural Ontario, against the voice of the agricultural community. That is what is happening.

We've seen quite a bit of that already. The northern members have spoken very effectively today that their numbers are being reduced. When Mike Harris said so during their campaign, the northerners rejected that and the northerners rejected the Conservative candidates. Why? The northerners understand how critical it is for them to have a voice here at Queen's Park, and so do the rural areas.

Let's look at what the people from rural areas had to say. Those rural areas most of the time represent the agricultural community. So when we were doing our tour, we talked to people involved with the agricultural community. Specifically, Middlesex county sent representatives from their federation of agriculture. Jeff Verkley, the president, spoke to us. He said that simply maintaining a rural voice was critical. This is the president of the Middlesex Federation of Agriculture telling us, "The proposed change to the electoral map in Ontario may diminish the capacity of rural MPPs to move rural and agricultural issues to the forefront in the minds of government officials." Our Minister of Agriculture must be cognizant of this. He must know the worry in the minds of all of the various branches of the Ontario Federation of Agriculture that they are losing a voice.

The Minister of Agriculture has caused much of this himself. Since he took office after June 8, 1995, the Minister of Agriculture, the big proponent of agriculture for the Conservative Party, cut agriculture programs by \$83 million. He has the nerve to stand in the House day after day and tell us that that is not the case. My friends, the members who work and live with the programs of agriculture through the Ministry of Agriculture know full well that they have been cut by \$83 million. They are doing the thing they said they would never do. It is therefore incumbent on the provincial government to stop making cuts to OMAFRA's budget, something which the government promised to do in its policy document the Common Sense Revolution.

Minister of Agriculture, you have been found out. The members of the agricultural community are speaking loudly. They are prepared publicly to say indeed you have made cuts there and indeed we do need voices for agriculture.

Il y a une autre chose avec la communauté francophone. Il y a un grand effet de la Loi 81 pour la communauté francophone, parce que nous devons poser la question, «Où vit la communauté francophone ?» Il n'y a pas un effet direct, mais vraiment il y a un grand effet indirectement avec la Loi 81, parce que la plus grande partie ou la majorité de la communauté francophone vit dans les zones rurales. Alors, si la Loi 81 va passer, il y aura moins de voix pour les zones rurales. Alors, c'est la même chose pour la communauté francophone.

C'est une grande distinction pour le ministre des Affaires francophones, l'homme qui est aussi le ministre pour les causes agricoles. Ce sont les mêmes personnes qui n'auront pas la voix, la communauté francophone.

I would urge all of the francophones in Ontario, if you have yet to speak with your minister of Affaires francophones, to ensure that he knows that this is the same minister that is diminishing the voice of francophones across Ontario.

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Je dois dire la vérité pour tous les francophones, non seulement les francophones dans ma circonscription, dans la ville de La Salle, mais aussi pour tous les francophones partout dans la province de l'Ontario.

There are many other areas that we have to make specific mention of. Why is it so critical for Ontario to have representation in the north? When all of these changes have been happening so far, they have had grand repercussions in the north. There have been meetings among the northern reeves and mayors like never before. They have gotten together, they've banded together to say: "We've got to stop the Tory bulldozer. It's cutting across the north."

They've reacted swiftly, their press release from the city of Sudbury says, to the lack of northern representation on the province's newly formed Who Does What panel. By the government's and the Premier's own admission, this panel is going to bring such fascinating change to the influx and outflux of funds in the province, and yet that panel doesn't have one member from the north.

Were they concerned? Absolutely. Did they want representation? Absolutely. And if we wonder why, we know that there are things that are different in the north, and yet when the committee travelled to the northern municipalities, some of the Conservative members spent some of their time doing interviews with local media there.

Let me tell you what a laughingstock some of those Conservative members made of themselves. They in essence said on radio broadcasts in the north that really the only difference between living in the south of Ontario and living in the north is that it's colder. You don't need to come from the north to understand that there are more significant differences than that, that living in the north simply means something different, that municipalities, townships in the north have a very different role to play in keeping their communities alive. There are differences in costs that the northern communities cannot collect from their local tax base. That was always the impetus for previous governments to institute things like northern transfers that were special to northern communities.

Winter control costs are 23% higher. Storm sewer costs are 46% higher. Parks and rec service delivery is 15% higher. Health service costs — and this is critical to anyone in Ontario. In the north, health service delivery is 57% higher. Given that that is the case —

Mr Gilchrist: What nonsense.

Mrs Pupatello: This is documented in the newspapers of the north.

Mr Gilchrist: That must make it true.

Mrs Pupatello: For the member for Scarborough East to say that that is ridiculous, I would challenge this member to go back to Sudbury and speak with the leaders in the health community so that you can find out why in fact health costs are higher in the north. The

reality is they simply are. Perhaps if you had members from the north in your caucus, you might know the difference, which in fact makes our argument. It's quite simply that.

Since the members across the way are so quick to speak about the comments that I make currently during my discussion of Bill 81, I would like that member, in particular that member, to stand up and rationalize to this House and to Ontario how the Premier's office could spend 44% more money this year over last year while you are busy cutting the representative voice in this House.

This member in particular has a penchant for saying things that are totally inappropriate anyway, but let me tell you, there is not a Conservative member here who sits on that side of the House who will rationalize to any member or any constituent, where I come from or anywhere else, a 44% increase in the Premier's office while the rest of us are being cut, while the elected voice of the people is being cut here in this House. That, Mr Member from Scarborough, is totally inappropriate. I'd suggest he spend more time outside of Liberal conventions than in them while I'm at it. Not only do you not have to come from the north or from rural areas to know that there's a difference when you pass a bill like Bill 81, but let me tell you what the people of St Catharines and the Niagara region have to say about Bill 81. They will see not nearly the same effect as they find in the north, and yet the people who are the most thoughtful about the true meaning of government elections and the true meaning of democratic representation here at Queen's Park in Toronto say:

"However, the downside lies in the increased clout that MPPs from the areas surrounding Metro Toronto...will exercise in the Legislature and the reduced muscle of rural and northern districts. And let us not forget that Niagara's voice" — in this case it's a paper from Niagara, the St Catharines Standard — "like many 'outer areas' such as Windsor, will be weakened when its representation is reduced from six MPPs to five."

What does that mean for Essex county, where we're going from five down to four? It means that in my riding in particular, the lion's share will become Herb Gray's federal riding; that La Salle will be carved off to the other part of a rural Essex county. But at the end, all of our ridings become larger.

When you make the comparison between the federal House and the provincial House which this government has tried to pass off, the reality is that when you divide the number of constituents per riding, the divisible number when you're looking at a federal map, the bottom number is bigger, and when you're talking about Ontario, the bottom number is smaller. So the reality is that every MP with their new riding will represent, on average, 98,000 people, a reduction of 2,000. The feds are going down, not up. But in this House we're going up. In an Ontario Legislature reduced to 103 seats, each member will represent 107,000 people.

I can tell you that when we are under the burden of a Conservative government that has had the kind of effect it has had on Windsor-Sandwich, yes, we will be able to sustain the increased workload; we will do it. And I can

tell you that I hope every member can, because I am beginning to realize it has very much to do with the government policy of the day to see exactly how active each member must be in his or her riding to take care of those problems.

I will tell you that if we want to discuss family support as one issue alone, you have got the phones ringing off the hook not just in my riding, like they're trying to say, but in every riding across Ontario.

If we want to talk about the issue of obstetrical care in my riding, where I still have 70 women who do not have obstetrical care, why is that? We've always had a shortage of doctors because this health minister, who sat for five years as a health critic, who knows what the game is in health services in Ontario, still, after 16 months as the health minister, doesn't know what vision he's going to hold for health care in Ontario. He still doesn't have the answer for health care in Essex county, because he floats the idea of a prenatal clinic; then that's gone. He floats the idea of rostering or rationalizing doctors' services; then that's gone. This minister doesn't have a vision at all.

You don't have to sit in this House long to understand that if you do not have a health vision for Ontario, all of these little piecemeal moves are simply going to send us in the wrong direction. Quite frankly, that is simply the case, because all of the piecemeal moves that he has made so far have been detrimental to health care in Ontario. The people of Pembroke found that out today, because they've lost their hospital.

I made comparisons today during the Legislative Assembly committee, where we discussed the referendum that may or may not come to Ontario. The reality is that that bill, which surely is going to this House one day, is part of and comes hand in hand with this bill, the Fewer Politicians Act. There was some contention that the Premier made the last time we had this debate on second reading that we're not going to need as many MPPs because we're going to institute referenda in Ontario — not to talk about the cost of what that will be, not to talk about historically what has happened in other jurisdictions around North America when they have instituted referenda, and we'll give you lots of examples of those as I hope to do during committee. The reality is that even those who seem to share the same thinking as the Conservative government are quite concerned about this bill in particular, Bill 81.

2300

There was one submission made by the London-Middlesex Taxpayers' Coalition — I expect some people to perk up on the other side — and what he said was: "Will 103 seats be appropriate? There is always the risk that fewer seats result in a more concentrated government with power wielded by fewer persons."

I'd like you to argue this point, because this point was made by the people representing the London-Middlesex Taxpayers' Coalition. I thought they were on your side. The reality is that when we pushed him during questions after his submission in London that day, we asked him what the outcome might be if the northern ridings were so large that the people couldn't find their MPP in a day's drive. What would they do then? Well, he said that really you can't make any exceptions, even for the north.

Then we asked, as many of the people who contact us are not necessarily affluent, what do you do when it costs long-distance charges for them to call their local MPP? Is it appropriate for ridings so large that your constituents get long-distance charges to reach you? The respondent said, "If the issue is important enough, I guess they'll pick up the cost."

This is just one more example of the downloading. As has always been the case so far with your government policy, you've moved the costs of supporting the local member's riding and riding office to the very people who can least afford it. If have a look at the kind of people who call me on a regular basis, they are not the ones who will make a long-distance call to me, who really need the help.

You really need to understand, as I do, that you surely will pass this bill, but when you do so, you need to make some dramatic changes in how our offices are run. You need to take those kinds of things into consideration, that not all of us can find our way to our MPP, and now you've made that more difficult.

You need to keep in mind that the francophones in Ontario are an integral part of our history and that you must keep their voice alive too in this House. When you cut the rural voice, because so many of our francophones live there, you are, as sure as the day is long, cutting the voice of francophones. For the Minister of Agriculture, who is also the minister of the francophones for Ontario, that, my friends, is shameful and should simply be stopped. This is the same minister who in 1985 swore that the rural areas needed more representation and not less. Il est le meilleur exemple d'un ministre qui changé totalement sa chanson avant l'élection et après l'élection. And that is something that the rural people and the francophones in Ontario will not let that minister get away with.

M. Bisson : C'est un flip-flop.

M^{me} Pupatello : C'est un grand flip-flop, oui, c'est vrai.

I'd like to close by saying very simply that the name of the bill, the Fewer Politicians Act, is an affront to everyone who comes to this office with dignity and respect for the position. To suggest to the population of Ontario that fewer politicians is a good thing, my friends, you are playing into the hands of a populist theme, as this Premier is wont to do; that cutting taxes is the only way and so popular, despite what that cost will be and despite the kind of quality representation you can have from your elected officials. To pass a bill that's named the Fewer Politicians Act is simply an affront to everyone who truly comes to this job with the purpose of doing something good for the community they're representing.

The Acting Speaker (Ms Marilyn Churley): Questions or comments? The member for Scarborough East.

Mrs Pupatello: I dare the member to talk about — you've got so much mouth over there.

The Acting Speaker: Order. The member for Windsor-Sandwich, take your seat.

Mr Gilchrist: Given that the member has invited some commentary, I would indeed be pleased to comment about the very group she herself alluded to, the London-Middlesex Taxpayers' Coalition. They said in part:

"In this day and age we're not having our representatives travel by Model T Ford and horse and buggy. We're totally overlooking in this debate the impact of technology today. The advancements that computerization" —

Mrs Papatello: On a point of order, Madam Speaker: The member for Scarborough must address the 44% increase in the Premier's office.

The Acting Speaker: That's not a point of order. Take your seat.

Interjection.

The Acting Speaker: The member for Cochrane South, come to order.

Mr Gilchrist: To repeat what I'd started off with, this is the first of the two points I'd like to address to the member opposite. From Mr Stevens of the London-Middlesex Taxpayers' Coalition:

"In this day and age we're not having our representatives travel by Model T Fords and horse and buggy. We're totally overlooking in this debate the impact of technology today, the advancements in computerization, in teleconferencing and that type of thing. It would be nothing for vast geographical districts to have satellite offices whereby the constituents could access technology available to access their MPP." I agree completely.

Let me address here again today, as we did in London when the member raised the spurious argument, that somehow this bill could be related to spending in the Premier's office. The last year the NDP were in government, they told the people of Ontario they would spend \$1.8 million to run the Premier's office. They didn't tell you they would hide three quarters of a million dollars by hiding Premier's office staff in other ministries. Their true estimates for the final year were in excess of \$2.6 million.

We, on the other hand, were up front in our accounting. We have fewer staff than the previous Premier and, at \$2.7 million for 1996-97 for the Premier's office, that includes the increase for the social contract ending and therefore 5% that would have been added to the more than \$2.6 million spent in the last year by the NDP government. For their last fiscal year, the NDP budgeted a total of nearly \$20 million to run the Premier's office and supporting ministry, the cabinet office. We're budgeting one third less, which is roughly the same reduction we're asking all ministries to make in their operating. At \$12.8 million, we're doing better for less. Those are the facts, member.

Interjections.

The Acting Speaker: Order, please.

Mr Ramsay: There's a really rowdy group over there. I don't know what they're so exercised about, but having watched on television the great speech my colleague just made, I can understand why they're a little exercised, because of course everything she said was correct and true, as always.

The member for Scarborough East had the opportunity to travel the north. Unfortunately, we weren't able to travel by road throughout the north, and I think that's something you really have to do to experience the north. That's something we should make sure all members are able to do.

It was so ironic when I heard the member talk about videoconferencing and teleconferencing, using new

technology to keep in touch with our constituents when we've got 500-by-600-mile constituencies. I just have to tell the member again that one of the differences between northern Ontario and southern Ontario is that a great number of my constituents don't have touchtone phones at all. Many of them are on party lines, so it's basically impossible to plug into the new, wonderful, wired world we have. While we advocate very strongly for that, because all the northern members are very strong advocates of the new technology, it's very difficult and very expensive, with the vast distances of northern Ontario, for our utility companies to get us all wired up as quickly as has happened in the very densely populated and affluent areas of southern Ontario.

You're really talking about a different environment, and this is why we're saying that when we don't have that high-tech world, we need more of a high-touch type of operation in our constituencies, that we have to be able to sit down with people in the various towns and go to the 50th anniversaries and visit the folks and see them in person and understand what their needs and requirements are. They can't just pick up the phone and call the government, like you can here in southern Ontario.

2310

Mr Kormos: I appreciate the comments of the member for Windsor-Sandwich. The fact is that the member for Scarborough East, with his obsession — there's almost something pathetic about this obsession with fax machines and the Internet and high-tech. As the member for Timiskaming just said, he doesn't know what it means to go to church basements for church dinners on a Sunday afternoon or on a Saturday evening. He doesn't know what it means to go to 50th wedding anniversaries. He doesn't know what it means to visit real communities and to keep in touch with people, like the kind of folks from Welland-Thorold who expect that of their member of the Legislative Assembly, like the folks in Welland-Thorold who demand that.

You see, that's how you make the real contact with people. That's how you keep your ear to the ground and understand what people are really thinking and feeling and what they have as their goals and ambitions. You don't get that off a computer screen. You don't get that through the Internet.

This government's got \$450 million to blow on a phoney, fraudulent workfare scheme that's not going to create one job. It's got \$17 million to blow on its fraudulent, high-tech, Internet, Mike-Harris-marketing-Mike-Harris scheme. It's got \$22 billion to blow on a tax break for the very rich friends of these Tories. But it doesn't have money to invest in our children, in our sick, in our seniors, in the infrastructures of our communities, in our educational system. Quite frankly, it doesn't care about those constituencies. It doesn't want to be in touch with them. It doesn't want to visit them and have contact with them. That's why it wants fewer MPPs, because it doesn't have any need for members of the Legislative Assembly. This is a machine that's imperialistic in nature, that's soviet in design and that brings new levels to centralist imperialism.

Mr Galt: It was an interesting presentation made just a few minutes ago by the member for Windsor-Sandwich.

She was making reference to knowing so much about northern Ontario. I notice in the Hansard from the November 9 standing committee on general government, to quote the member for Windsor-Sandwich:

"What was so striking about it was that the northern communities really hadn't reached the level technologically to even afford a cell phone in that area. That's why it was a bit strange, because I think that may come in a couple of decades, but I don't think it's there now."

That was in Dryden, and that very day in the Dryden paper there was a report about building the towers for cell phones. This was a very small town, so obviously it's in many of the others. Maybe she'd be interested in knowing this information and just being kind of up to speed on what is happening in northern Ontario. I hope that information will be helpful for her in the future when she is up north. She might even take her cell phone and, when she's in Thunder Bay or Sudbury or places like that, turn it on and it may actually ring and work. That's just so she's aware.

The member should also be aware that our government is leading by example, with a cabinet that's a third smaller than the cabinet of the NDP government was. We've got far less staff for each minister, reduced by two thirds. We got rid of the gold-plated pension plan. We got rid of the tax-free allowance. We did not take the social contract back, and we further reduced our salaries by 5%. This is a full 10% reduction, and you should be aware that we are leading by example, not trotting up to the trough, as the previous government was doing.

Mr Howard Hampton (Rainy River): You are leading nowhere but back to the past. That's where you are leading.

The Acting Speaker: Leader of the third party, come to order please. The member for Windsor-Sandwich, you may sum up.

Mrs Pupatello: It's always interesting for me to sit and listen to the response of our Conservative members when we are simply stating the facts in this House. There has never been a time that I've used numbers other than the figures made available to me by the government, because they must be the most credible numbers available. The fact of a 44% increase in the Office of the Premier from last year to now is simply unacceptable, unacceptable when we talk about the wielding of power out of the Premier's office.

The Conservative members simply can't find the argument to support that, for a very simple reason: There is no argument other than the transfer of power. If you have children who follow the Star Wars series, there was a character in Star Wars called Jabba the Hutt. He was this great big blob, and he had a huge vortex for a mouth in the centre and he just drew everything into the mouth of the centre, into the vortex.

That, my friend, is the imagery of the Premier's office, the fat-cat office at Queen's Park with an increase of 44%, while you dare to lessen the voice of rural Ontario, of northern Ontario, of francophone Ontario, which is the greatest insult of all given that you have a minister who's francophone himself.

The reality is that the cabinet ministers don't have the power that the public perceives they do. Why is that?

Because a 44% increase in the Office of the Premier takes the power right along with it, away from cabinet, away from members of the House of the Conservative Party, and puts it right in the Office of the Premier. The greatest joke that the Premier plays on the province of Ontario is that he says he does it for the simple fact of saving money.

The Acting Speaker: Further debate?

Mr Hampton: It's with pleasure that I take part in this debate. Let me say first of all that the Conservative members in this Legislature don't understand that "technology" does not have the same definition as "democracy." As I listen to some of the Conservative members, you would think that the availability of the long-distance telephone somehow makes democracy irrelevant. They consistently confuse the fact that people can make long-distance telephone calls with democracy.

But this is not surprising; it's not surprising that these Conservative members don't understand democracy. They don't understand people collectively coming together to make decisions about how they're going to be governed and how their lives are going to interact. The reason they don't understand that is because, frankly, these people don't believe in government. They don't believe in government and they don't understand government.

They don't believe that government can provide good education services despite the fact that public education has in fact created the middle class. They don't understand that government can organize and create one of the best health care systems in the world. They don't understand that government provides the basics for people coming together in civil society. They just don't understand that. They somehow think that because you now have the telephone you don't need democracy any more, you don't need the capacity for people to debate and discuss and decide upon how their lives are collectively going to interact.

That's the problem. These people don't believe in government. They don't believe in collective decision-making. They think it's better to go out and hire a bunch of consultants at \$2,400 a day to make your decisions for you, which was just disclosed today. Imagine that: a government that says they want to reduce the cost of government and then they go out and hire a bunch of bozo private consultants at \$2,400 a day to tell them how to make decisions. That in itself is a tremendous exhibition of how little these people understand about government.

But let me go a little further. This government says that this is about cost saving. The truth is that democracy does cost money. Democracy costs money. If people are going to come together, if people are going to exercise collective decision-making, if people are going to debate and discuss in an intelligent way, it costs money. It does, it costs money.

Mr Galt: Can't you hear you.

Mr Hampton: Well, I'm trying to get through to some of you. I suppose I should just give up because it is a lost cause to get through to most of you.

You see, this government doesn't understand somehow that Canadians, that Ontarians value democracy, that Ontarians have in fact fought for democracy. Rebellions

were waged in this province for democracy. Ontario sent people to two world wars to fight for democracy. Ontarians understand that democracy costs money, that exercising democratic decision-making, that involving people in how they are governed, that involving people in debate and discussion and arriving at decisions costs a little bit of money. People in Ontario do understand that. Conservatives don't understand that people in Ontario respect that and admire that.

Mr Turnbull: You lost the election. This was an election plank. Have you forgotten? Have you got amnesia?

Mr Hampton: Now we have the Conservative whip. His understanding of democracy is that you hold an election every four or five years and that's it: Winner take all. That's his understanding of democracy. He doesn't understand the need to consult. He doesn't understand the need to discuss. He doesn't understand that there are minorities, that there are different points of view. His view is: one decision every five years. That's all. Winner take all. That's his definition of democracy.

I want to tell the Conservative whip that people in Ontario don't agree with you, that people in Ontario have a longer, more historical definition of democracy and a far better definition of democracy than you have.

Mr Turnbull: Hey, Howie, you lost. It was an election plank.

The Acting Speaker: Member for York Mills, come to order.

2320

Mr Hampton: The Conservative definition of democracy is: "Get yourself an adding machine, pick a number out of the air and then divide by that number." That's their definition of democracy.

Mr Turnbull: Sounds like your budgets: pick a number out of the air.

The Acting Speaker: Member for York Mills, come to order.

Mr Hampton: Where is this leading? That's the question that needs to be answered. What's being created here by this government is a centralized, large, remote, nameless, faceless bureaucracy. That's what's being created by this Conservative government: a large, remote, centralized, nameless, faceless bureaucracy in Toronto which claims to be able to make decisions for the whole province. What you see happening across this province is government offices being pulled out of communities, even large cities. You see government offices being pulled out of regional centres. It's all being centralized here in Toronto and it's all being put in the hands of the upper bureaucracy and in the hands of the Premier's office. Any rights of review, any rights of appeal, any rights to have decisions examined are being taken away by the likes of the Bill 26 legislation.

This government is creating that kind of nameless, faceless bureaucracy, and they confuse that with democracy. They think the whole province can be run by a few superbureaucrats, with the help of a few \$2,400-a-day consultants, and all the decisions can be made here in Toronto.

It shows how little these people understand about this province. It shows how little they understand about the

regional diversity of this province; how little they understand about the ethnic diversity of this province; how little they understand about the urban and rural diversity of this province; how little they understand about the north and the south; how little they understand about the diversity of the economy of this province.

They believe that by setting up a large, centralized, nameless, faceless bureaucracy in Toronto, all the decisions can be made here. Again, this is their definition of democracy — their definition. I don't think there's anyone in Toronto who agrees with that definition of democracy.

Where else is this leading? Well, I'll tell you: It's leading to all kinds of regional alienation. I have not heard in 20 years so much talk about people in northern Ontario, for example, saying they want a separate province, they want to leave Ontario. I have not heard so much discussion about that in 20 years as I've heard in the last year and a half. People are saying: "What, have we suddenly joined the Third World? We no longer have air service in many of our communities. What, are we no longer entitled to safe highways? Our highways are ice-covered more than they're travelable. Our transportation and traffic by road is cancelled by the OPP in some communities more often than it is open." People are openly saying, "Why do we want to belong to a province of Ontario when we've got a government that thinks all the decisions can be made in Toronto and there is no need for any discussion or consultation other than by long-distance phone call?"

That is again this Conservative government's definition of democracy and it is leading to more isolation, more alienation among people out there, and that is not good. That does not take this province in a good direction. It's not good for democracy.

What's more, this government doesn't seem to understand what it means to represent a constituency. They don't seem to understand that there are all kinds of people out there who want to take part in government. They actually want a real, live MPP they can go to and talk to and say: "Look, I have problems about this government's deregulation of the environment. I don't think we can trust pulp and paper companies to regulate themselves. The last time pulp and paper companies tried to regulate themselves they polluted the hell out of all kinds of lakes and rivers."

They don't understand that there are people out there who want to come and talk about this government totally deregulating the mining industry, saying to the mining industry, "You can regulate yourselves." They know, because they've lived it. They've lived in the past when mining industries literally polluted not just water bodies but whole communities. They don't understand a government that says: "Oh, no, these things aren't important. They're not important enough that you want to talk to a real, live political representative about these kinds of problems." They don't understand and they don't care about those aspects of democracy.

But the worst sin about this government is that they don't even care enough about democracy to put this decision to an independent commission. They believe that decisions about how people should be represented, about

how people should be organized in terms of votes, about how people should have input to democracy, should be decided by a government on the basis of partisan politics; that there should be no inquiry, no commission, no opportunity for people to be heard even on that point.

This is a betrayal. This government is betraying 40 years of political tradition, of governmental tradition in this province in the 1950s, in the 1960s, in the 1970s and in the 1980s, where decisions were made about how people were going to be represented, where decisions were made about how people would be organized into constituencies, about what kind of voice people would have. It was done by an independent commission that actually went out and talked to people, that actually went from community to community and said to people: "What's your concept of democracy? How should we be organizing democracy? How should community of interest be dealt with? How should regional differences be dealt with? How should remoteness and distance from Toronto be dealt with? How should all of these things be factored into democracy?" This government doesn't care enough about democracy to do even that. Even that, they don't care enough about.

I am opposed to this bill. I am not opposed to redistribution. I am not opposed to examining the question of how people ought to be represented and how people ought to work into democracy. But I am opposed to a bill which runs fundamentally against democracy, which is fundamentally an assault, an insult to democracy. This bill is a sham. It is a sham. It is bad for democracy. It is bad for good government. It is bad for the people of Ontario. This government is an insult to all those people in Ontario who believe in democratic decision-making, who believe that people should come together and exercise collective discussion, collective debate on how they should be governed and how decisions should be made. This bill is a disgrace and it is no wonder that people in different parts of this province are frankly saying this is unworthy of the traditions of democracy in Ontario, unworthy of Ontario's democratic institutions.

This bill ought to be withdrawn. Any government that had any respect for democracy would withdraw it, would start the process over again and would involve people in those very essentials of democracy in determining how they'll be represented, determining how they'll take part in debate, determining how they'll make decisions about government institutions.

But this government isn't listening to the people of Ontario. It frankly doesn't give a damn about what the people of Ontario think about democracy. They want to pass it off as some phoney sham about cutting costs when, as we already heard, the Premier's office spent 44% more than premiers' offices in the past. I rest my case. Thank you.

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The Acting Speaker: Thank you. Questions or comments? None? Further debate? The member for Sault Ste Marie.

Mr Martin: In an edition of the Catholic New Times of September 8, Ted Schmidt quotes Ralph Lapp: "We are aboard a train which is gathering speed, racing down a track...leading to unknown destinations. Nobody is in

the engine cab and there may be demons at the switch. Most of the society is in the caboose looking backwards."

I just want to focus, in the short few minutes I have tonight, on a couple of things. There is so much in this bill that I think is destructive for the people of Ontario, destructive to democracy. It's taking us back to a time that all of us, if we knew of the reality of that day, would not want to go to.

We heard the leader of our caucus a few minute ago talk about the fact that there has been no precedent in this jurisdiction for the way this government is ramming legislation through the House, particularly this piece of legislation, which has such fundamental ramifications for all of us and for democracy. This evening I just want to talk for a few minutes about the fact that this bill is being put through the House at such breakneck speed, breaking with tradition in this place and in this jurisdiction, with this act of redistribution which we've all, on this side of the House, said we have no difficulty with, but we respect the traditions and the way we've always done things and would like to see us continue down that road. We know that from time to time it's important to take a look at the number of people who reside or choose to reside in Ontario and come together collectively and make decisions about how we should represent the different geographic areas, the highly populated areas, the less populated areas, the vast expanse of northern Ontario.

In preparing for tonight and in preparing to participate in the discussions that happened across this province for six short days about this piece of legislation, I did a little research. There are literally volumes of books in libraries with information and records of discussions that happened in prior years about the question of redistribution, reports of commissions to this House, discussions that happened in this House about those reports, and decisions that were made through the very important and involved dialogue that went on between people and the government of the day to finally decide on numbers, on the way we might represent each other in this House.

It shouldn't surprise us, because this government is taking us down a path that is destructive, that is mean-spirited and that is not going to be in the best interests of all the people who choose to live and work in Ontario.

This piece of legislation is about a shift in power. It's about taking away from the people the opportunity to participate in the decision-making of this province and turning it over to a smaller executive body that answers to the corporate world of Ontario, Canada and the world.

We don't have to look very far to see where the agenda of this government is leading us. The exercise we're about here, this redistribution, this Bill 81, is casting in stone the very negative, narrow, mean-spirited agenda of this government and imposing it on us for the next five or 10 years in such a way that it will take us a long time to reverse the trend that will be set in place. If we look at what's happening out there in the world today and what this government is trying to cast in stone in Ontario, it is quite distressing.

I read for you, because the folks across the way may not believe or accept what I have to say because I'm a New Democrat, I'm a politician who they claim may

have a conflict of interest in this whole question, but I quote for you a speech that was made by Ted Schmidt to a group only a couple of weeks ago, and he says this:

"What we must understand here is that Mike Harris is a mere spear carrier in a globalized world of pecuniary values, a loyal and unreflective soldier doing the bidding of transnational capital. Similarly, the federal Liberals appear to have jettisoned their defence of the average citizen in their rabid embrace of the market economy. Both have succumbed to the overriding idea: We are no longer a culture but part of a broader economy. So to counter this surrender the average citizen must be aware of exactly what is happening — and do what he or she can to raise up clear-eyed" citizens "to be critical thinkers because" there's a huge fight ahead of us.

"Once again...a deadly serious attempt is being made to cram the sacramental nature of human life, the holiness of humanity...into the law of the market. World capitalist development, accelerated by computer-based technology in the midst of a new international production system has resulted in too many workers chasing too few jobs. The result we see:

"In the free-market countries the gap between the rich and the poor becoming greater;

"A depression of wages for working people which results in:

"Longer hours to pay the bills and stay even which results in:

"Less time to reflect and analyse this disturbing trend;

"An assault on the integrity and importance of the family, scattered and driven apart by these market forces, working split shifts, strange hours and never breaking bread together;

"This increased mobility epidemic in today's volatile labour market weakens the relationship with the people who socialized us.

"With the powerful persuasive tools of mass marketing it overwhelms and empties sacred symbols of their power; and

"Encourages the young to adopt a prefabricated identity where material goods become visible symbols of inner worth;

"In general, we see a loosening of the bonds of the human community, a decrease in the solidarity we owe each other;

"A heightening of individualism and defensive vulnerability where each feels he must solely defend his own territory in Darwinist fashion."

The Africans have a saying which describes this new reality: "In times of drought the animals around the watering hole begin to look at each other."

As the leader of our caucus said a few minutes ago, this will create regional disparities and conflict between regions. The agenda of this government, which is being enshrined and cast in stone by this legislation, will create division between individuals, families and communities for the scarcer and scarcer resources that are being passed on to them.

We don't have to look much further than the United States of America to understand what the agenda of this government is about and what this government is trying to put in place in this jurisdiction: to diminish the ability

of the people out there, who are concerned about it or who oppose it, to have a voice in this place so that some of these decisions can be turned around or tempered in some way.

You'll remember that there was a series of articles in the Toronto Star not too long ago that spoke about the jurisdiction of New Jersey and what was happening there. In New Jersey the governor, one Christine Todd-Whitman, implemented a lot of the same kinds of initiatives this government in Ontario is doing at such a rapid pace in this place.

"Walker quotes the rookie governor, 'one of the hottest politicians in America today and a possible vice-presidential nominee this fall,' as positively ebullient about her great achievement. 'There are many people who said it couldn't be done. But we promised we could cut taxes...it puts my favourite group first: the taxpayer of New Jersey.'"

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Mr Schmidt goes on in this article to say:

"It almost makes you want to move to New Jersey — until you read about the shocking urban blight. The city core of Camden, Jersey City and Trenton are described as 'crime-ridden, drug-stricken, boarded-up war zones where most middle-income suburbanites fear to tread after nightfall.'

"Now in order to get this fantastic windfall of a tax break, Whitman had to lay off thousands of workers, cut health and social service programs, privatize nursing programs, cut drug benefits for seniors and the disabled, kick welfare recipients off the rolls after five years, and install workfare. Governor Whitman did all this before breakfast. Before lunch, she slashed funding to municipalities and school boards which caused property taxes to go through the roof."

Does this sound familiar?

"Now, there is no doubt the schools in New Jersey could afford this hit. Too much money was being spent on schools like Pyne Point Junior High in Camden, home to 650 students, 98% of whom are black or Latino, located on a verdant plane, 'equidistant from a paper plant, a gelatin factory and an illegal dump site,' according to writer Jonathan Kozol."

Mr Turnbull: Tell us about the gelatin factory. What was that, lemon or strawberry?

Mr Martin: Let me tell you about the school. "Half the children have no books" in this school. "The Olympia typewriters are 10 years old — there are no computers; the ceiling tiles which absorb sound are missing in many classrooms; the school has no sports equipment; the school's fire alarm has not worked in 20 years; 20% of the children will not go on to high school."

This is what we have to look forward to in Ontario. This is where you're taking us. This is where you're leading us in this province, and this is what you're casting in stone by passing this piece of legislation, by reducing the number of politicians in this province in a way that will ensure that you will win the next two or three elections so that you can continue the job you started, and some of the stuff I've mentioned so far that's happening in New Jersey, you've already done in Ontario.

It goes on: "The inner cities of New Jersey (which number five of the poorest 10 cities in America) are laboratories of despair for the young. A comparison between their schools and suburban schools caused a class action suit by concerned parents in 1981. The court concluded that 'there would be revolution in the suburban districts if they were as barren as the course of study in inner cities.'"

That's not what I want for my children. That's not what I want for the citizens of Sault Ste Marie, the constituents I represent.

Let's look at California, another jurisdiction that is often held up in this place as a model of the neo-conservative approach to life, of all that's good and right about the neo-conservative agenda.

"California," Mr Schmidt goes on to say, "is even more instructive in the absolute folly of tax revolts. Since millionaire real estate mogul Howard Jarvis began this assault on the commonweal in 1978, two thirds of the beneficiaries have been corporations, landlords and so on. Cities have been paralysed. Hospitals, libraries and mental health facilities closed down, roads left unrepaired. Schools have become overcrowded, and more money is being spent on prisons than on education."

More money is being spent on prisons than on education. Does that sound familiar? Does that sound like something that's happening here in Ontario as we, every day in this place, challenge the minister of education about the cuts that he's imposing on the schools and the children of this province, and he denies it every time it's raised, and we know when we go back to our jurisdictions, to our constituencies and we talk to people that the numbers of kids in classrooms are going up and that more and more kids are having to pay for some of the supplies we took for granted they would have.

This government is about destroying government. This government doesn't believe in government. This government believes that all government is bad and that all that is private and corporate is good.

If they took the time to see beyond their noses and to read some of the material that is being produced today by some of the more progressive thinkers in the world of management consulting, they might learn different. They might learn that some people have begun to see that we need some balance in the way that we do business in North America, in Canada and in Ontario.

I share with you, and with the House tonight, an article that was written by one of the world's leading management thinkers who refutes the argument that the private sector can serve as a model for society and that government should be more businesslike. He claims, and I agree with him, that there are things that government does that are good and there are things that the private sector does that are good, and that the government, yes, can learn from the private sector and that the reverse is possible as well, that the private sector has a lot to learn from government.

But this government, the government we have before us today in Ontario, does not believe that for a second. We're left with, in my mind, a terrible dilemma and the dilemma is: How do we stop this? Because we know

from everything else that you've done so far in this House that there is no stopping you.

When we went out to the communities that the committee on general government visited to hear from folks on this piece of legislation, you simply said, when asked why it is you're doing this, "We said we were going to do it in the Common Sense Revolution." That was the answer; that was the simple answer that we got, that it wasn't very complicated. There was no attempt to explain why in previous exercises of this sort commissions chose to look at things like community of interest, to look at things like the geographic nature of particular areas of the province, to look at things like distance and to consider travelling and weather and the impact that has on people's ability to attend meetings and to meet with their member. There was no reference to that.

There was no giving in to the possibility that might be something that would be worth considering. It was a rather arrogant response, actually, in most instances, to the overwhelming number of people who came before the committee to tell us that they disagreed with this, that they disagreed with the way this was being done and that they disagreed with the end result being so predictable.

They disagreed, as my leader has said here tonight, with the approach to politics this government seems to have adopted in coming to power in Ontario, and that is, "We spent 30, 35 days, 40 days on the hustings sharing with people through the Common Sense Revolution what it is we would do if we were made government and now that we've been made government, we're just going to go ahead and do it." No impact studies, no concern for the fact that life changes and evolves, no listening to the opposition who were also elected on platforms they spent a lot of time developing and felt strongly about, and hoped that when they got to this place, they would have a chance to share and to see reflected in some of the legislation and the work of this place. No, none of that.

The only answer we ever got to why it was you were going to do this in the way you are was, "We said we were going to it in the Common Sense Revolution and so the people out there in Ontario want us to do it and damn the consequences." I say to you, Speaker, this also is a break from the way we've always done business in this place.

I remember in the short time I've been here, and the member for St Catharines who's been here a lot longer will probably remember, that the way you do things around is you bring legislation in, it's introduced for first reading and second reading, and then during the inter-session when you have lots of time you take it out to the people of the province and you hear what they have to say. You hit as many communities as is possible. You come back to this place for further hearings. You spend a fair bit of time on people bringing in amendments on clause-by-clause and discussing that. Then you bring it back into the House after you've had sufficient debate and input, after you're sure as a government that this is something that's going to be good for the people of the province, that this is something that the people of the province understand and know what it's going to mean for them in their communal and personal lives and be willing to roll with it.

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But no, that's not the approach this government wants to take. They're going to impose this on us whether we like it or not, whether it makes sense or not. They present the argument — we've heard it here on a number of occasions as they've taken the opportunity to get up and speak to this, and as they took the opportunity to challenge and to respond to folks who presented to them when we were in places like Sault Ste Marie, Dryden, Timmins, London and Ottawa and here in Toronto — that they want to save money by cutting back on the number of politicians who serve here in Toronto.

That's very shortsighted because the money you may save up front, I suggest, will cost you more in the long run, and in more important ways than just bottom line re your budget because as has been said before in this place, we in Ontario, we in Canada take democracy very seriously. We have spent a long time at it. We have made a lot of effort to make sure that democracy, as we know it, includes as many people as possible. We who live in Ontario pride ourselves on the fact that we are a diverse community, that we are a community of people that has welcomed folks from across the world to come and live with us and share our standard of living and our quality of life, and we want to make sure that what they bring with them they are able to, even in our political institutions, share so that we will all be enriched and made better.

That's not what's going to happen. We have a government here that's intent on moving this piece of legislation through, as it has so many of the other pieces of legislation that it has introduced in this House over the last year and a half. In a short period of time, in contravention of the traditions of this place, they have chosen not to set up a commission, as has been done over the years, to go out and talk to people and find out what they think, to put in place those things that we've over the years decided were important to the people of Ontario.

We had the Ontario Federation of Agriculture come before us when we were on committee on two or three different occasions to share with us how concerned they are with the loss of representation that they feel they will experience under this act.

We also know that with this piece of legislation it is gerrymandering, whatever you say, that this government is going to structure the way people are elected to this place in such a way that they will be able to enshrine, will be able to cast in stone the agenda they think is going to be good for all of us.

I've shared with you here tonight in the very brief few moments that I've had what this agenda has done in other jurisdictions. I talked about New Jersey; I talked about California. We could talk about New Zealand. There's another example of a country that went down this neo-conservative, right-wing road. If you take a look or if you were fortunate to be able to listen to a program on CBC not so long ago, you would have heard some of the folks from New Zealand talk about the health care system there which the neo-cons hold up as such a success. Here's a senior from New Zealand talking about that program:

"What happens here now is you pay your doctor. The one I go to, I pay him 20 bucks and then I have prescrip-

tions. Each one is \$3 for that. It's been quite good until they started more user pay for everything. Some people have been getting a repeat on their prescriptions, and especially if you have sleeping pills and things like that, you used to be able to get a three-month supply at one time, but now you don't. You have to go every month, so each month you go, you're paying another fee to the doctor." Does that sound familiar? Does that sound like a pattern that's setting itself in place here in Ontario?

Here's another senior talking. He says: "You pay your tax, all these sorts of things, and it rather stinks. I think it does. If you're a crook, you should go in the hospital for nothing. You pay your tax. There's poor old people dying."

Mr Ford: High standard of living on somebody else's money.

Mr Martin: "I'm not worried about myself, I am quite fit, but I look at other people and I can see that happening." People are dying in my community because of what you're doing to the health care system, Mr Ford.

"Now I'm waiting for a CAT scan. Well, I had a letter from the hospital last year saying that there had been a seven- to eight-month waiting list, so this year, same date in November, I rang and they said there is now a waiting list of 16 months. But mine is not an urgent case, so I'll probably go back further on the list."

Mr Ford: Who is going to pay back the debt, you?

The Acting Speaker: Order, please.

Mr Martin: Is that where we're heading in this province? Is that what you want to enshrine in stone in this province? Is that what you want for your kids? Is that what you want for the people of this province for the next 10 or 15 years?

If you get away with this, and you probably will, you're going to enshrine in stone things that we thought we would never see in Ontario. We thought we were a society that was civil and decent and caring, but that doesn't seem to be the way any more.

Mr Ford: Borrowing and borrowing and borrowing. You call that civil and decent?

Mr Martin: "Borrowing and borrowing," yes, right. That's an easy and simple answer to everything.

Mr Ford: I know it is always simple for you.

The Acting Speaker: Member for Etobicoke-Humber, come to order please.

Mr Martin: I rest my case. I think I've put my points as succinctly and clearly as I could. I certainly am not going to be supporting this bill. It's not in the best interests of the people of this province and it will in the long run do us all great harm.

The Acting Speaker: Comments or questions?

Mr Bradley: I enjoyed the speech very much. It's now five minutes to 12 at night, in case people are wondering. I am pleased the member brought up so many points that are not necessarily directly found in this bill but are interesting nevertheless, particularly some of the experiences from other countries.

I know that somewhere along the line, although I wasn't able to listen to every minute of the speech, he probably mentioned the tax cut. Before we retire this evening I want to ask the member whether he can possibly believe that a Conservative government which was so concerned about the deficit, and justifiably so,

when the full 30% income tax is implemented would borrow \$5 billion per year to give all of us a tax cut, in particular the bank presidents and others who make a lot of money, the most money; if he can believe that a Conservative government would be doing that, that is, borrowing money, adding to the debt to give a tax cut.

Of course the second thing I'm wondering is if he realizes that one of the reasons they want to put video lottery terminals in every bar, every restaurant and every neighbourhood and every street in Ontario is because they are desperate for money because of the tax cut and are going to prey on the most desperate and the most vulnerable and the most addicted people in our society.

Third, did he believe the Treasurer last spring when he said after his budget there would be no more cuts made to government programs? We're having \$3 billion in cuts to important programs and projects.

The Acting Speaker: Further questions or comments? The member for Sault Ste Marie, you can sum up.

Mr Martin: I would like to thank the member for St Catharines for raising those issues because he is absolutely right. All of those negative things that are being imposed on the people of this province as good news, as the salvation, as the answer to all that ails us is what's going to be enshrined in stone if we pass this piece of legislation. If we allow this government to reduce the number of MPPs in the way that's suggested here, we'll see this government set themselves up so that they will have less difficulty being returned to this place as government in the next election.

That should scare the pants off everybody who cares in this province, because the agenda that they want to enshrine is an agenda that the American people just said no to in the recent presidential election. It's an agenda that was imposed on Britain and the United States under Margaret Thatcher and Ronald Reagan, and we know what happened there. Those countries are a perfect example today of the gap that is growing between the rich and the poor. There is no other jurisdiction in the world today that has as big a gap between the rich and the poor as Britain and the United States of America.

In the States, when they had a chance through the democratic process, they turfed Mr Reagan and they brought in the Democrats. In Britain, they're about to turf John Major because of the effects of his program and his continuing the program of Margaret Thatcher. If you want more of this, if you think this is good stuff for the people of Ontario, then vote for this bill.

The Acting Speaker: The member's time has expired. Mr Johnson has moved third reading of Bill 89. Is it the pleasure of the House that the motion carry?

Mr Turnbull: On a point of order, Madam Speaker: I believe we have unanimous consent to have a recorded vote on this tomorrow immediately following question period.

The Acting Speaker: Agreed? Agreed.

It being now 12 o'clock, this House stands adjourned until bright and early, 10 o'clock tomorrow morning. Good night.

The House adjourned at 2402.

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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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Thursday 5 December 1996

Jeudi 5 décembre 1996



Speaker
Honourable Chris Stockwell

Président
L'honorable Chris Stockwell

Clerk
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 5 December 1996

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 5 décembre 1996

*The House met at 1002.
Prayers.*

PRIVATE MEMBERS' PUBLIC BUSINESS

FRANCHISES' ARBITRATION ACT, 1996 LOI DE 1996 SUR LES ARBITRAGES VISANT DES FRANCHISES

Mr Chiarelli moved second reading of the following bill:

Bill 101, An Act to provide for the Arbitration of certain Disputes relating to Franchises / Projet de loi 101, Loi prévoyant l'arbitrage de certains différends concernant les franchises.

The Deputy Speaker (Mr Gilles E. Morin): Pursuant to standing order 96(c)(i), the honourable member has 10 minutes for his presentation.

Mr Robert Chiarelli (Ottawa West): This is the first bill we're debating today and it's called the Franchises' Arbitration Act. This deals with subject matter that is long overdue for legislation by this Legislature over the term of a number of governments. The bill is very simple in its structure, and I want to refer to the bill.

The first section of the bill deals with some definition sections of franchisor/franchisee in a technical sense. I want to thank Mr Tony Martin, the MPP for Sault Ste Marie, who previously introduced legislation on this subject matter. We borrowed some of the technical definitions from his bill. I also want to compliment Mr Martin for having been an advocate on this issue of franchises for a long time.

I'll read the nub of the bill, or the gist of the bill. It's in section 2. It says: "In the case of a dispute between a franchisor and a franchisee with respect to a fundamental term" — and I underline the word "fundamental" — "of the franchise agreement, either party may require that the matter be determined by arbitration under the Arbitration Act, 1991 by giving the other party notice to that effect."

What that does, in effect, by statutory means, is add a term to every franchise agreement in the province of Ontario to say that either party may refer to arbitration under the Arbitration Act.

The Arbitration Act in Ontario was recently revised by this Legislature, about two years ago. There was all-party consent, and certainly there was a very broad consensus that this statute, the Arbitration Act, should be used very extensively in the province. It forms a very viable alternative dispute mechanism. The bill is now compatible with all the other legislation dealing with arbitration in the other provinces. It has also been highly recommended

by various studies into the court system to be used to try to take cases out of the court system.

This bill deals only with fundamental terms of the contract in dispute. It's very important, particularly for franchisors, that they understand this provision. It is not a provision that will allow franchisees to harass and bother and make nuisances of themselves with respect to specific contracts. If there is an issue fundamental to the contract between the franchisor and the franchisee, if it's a question of termination, if it's a question of misrepresentation to induce somebody to enter into a contract, if it's a question of frustrating the financial viability of the franchise arrangement, it's only under those circumstances that the matter can be referred to arbitration under this particular bill.

I think it's important that we look at some of the realities with respect to franchises in Ontario. First of all, Canada-wide, franchises deal in sales of \$90 billion a year in retail business across the country. In Ontario it's \$45 billion. It's very widespread throughout the province and impacts on thousands and thousands of small business people who happen to be franchisees, and tens of thousands of employees who work for them, so it's very significant subject matter for this Legislature to consider.

When it comes to mainline franchisors, when we think in terms of McDonald's or Harvey's or Dunkin Donuts, Tim Horton's or what have you, we have to understand that there's not a very level playing field. I practised commercial law for 18 years before I was elected to this Legislature. I acted for many franchisees.

Mr Garry J. Guzzo (Ottawa-Rideau): You did very well.

Mr Chiarelli: My former partner, Mr Guzzo, on the other side, is commenting that he recognizes that I did such a wonderful job as a commercial lawyer.

In any case, dealing with all these franchisees, it's important to know that it's not a level playing field. The franchisor puts a contract on the table and says, in effect, "Take it or leave it." I've been at the table with my clients, prospective franchisees who are investing their life savings in the business, and if one tries to negotiate changes to those terms it is not possible. The effect of that is that the franchisee in many cases is left in a very dangerous situation in terms of termination, in terms of financial security.

I want to say that most of the franchisors act very responsibly, but there have been some very significant high-profile cases which reflect the dangers in having this continue. Of course it was the rebellion of the Pizza Pizza dealers a year or two ago and, more recently, the Loeb dealers. These are people who were very severely handicapped by the nature of the relationship between them.

This is an issue also of corporate responsibility. While most franchisors accept their corporate responsibility, there are too many cases where they don't, and they take advantage of the little guy, the person with his or her life savings on the line, who has to deal with this hammer hanging over their heads all the time.

1010

There are thousands of Ontario franchisees who feel a tremendous sense of disappointment and betrayal at lack of government action. I'm not talking about this Tory government only. I'm talking about the Liberal government, I'm talking about the NDP government, I'm talking about this government now, which says it has the intention to legislate.

The reason this period, Thursday morning, should be made much more important and significant is that the Liberal administration had what it thought were very priority items that it had to have legislated, and the whole issue of franchisees fell through the cracks, the Liberal cracks. The NDP government, very strong advocates of legislation for franchisees and franchisors, strongly advocated it before they were elected, they advocated it after they were elected, and what happened? It fell through the cracks. We were dealing with the social contract, we were dealing with labour legislation, which were a priority to the NDP government. Now we have the Conservative government, and they have their priorities. I'm not questioning their priorities. It's their right to have them. They're doing tremendous restructuring in the health care field, in education, with municipalities, and now they're saying to the franchise dealers, "We intend to do something next spring." Next spring they might introduce legislation. It will go to committee. Perhaps we will or we won't, but in the meantime the franchisors and the franchisees across this province do not have legislation. As I said, we have a very simple bill here which I think can serve as the permanent legislation to deal with this particular issue.

There's a broader public policy issue involved in this type of legislation, and that is the whole area of what's happening to our court system. Alternative dispute resolution mechanisms: All the studies and people who have looked at the courts, and I have in my role as Attorney General critic, are all advocating ADR, alternative dispute resolution. We have the Arbitration Act in Ontario, which is already there. It's a very effective piece of legislation. We need to reduce cases which come before the courts.

We've just seen the Loeb franchise dispute go before a judge, I believe six or seven times in the last couple of months. The cost to the franchisees and the franchisors was absolutely exorbitant. The cost to the taxpayers, of using up all this court time to resolve commercial disputes, is not appropriate in today's day and age. All the key people who have looked at the court system are recommending alternative dispute mechanisms, and here we have a very simple way of doing it.

It's frightening to me to see some of the press reports coming out from the franchisors in discussions with this government in terms of what this government is contemplating. This government is contemplating a regulatory framework. It's looking at the possibility of establishing

an ombudsman. It's looking at the possibility of establishing prerequisite requirements for franchisors to get into the market. I can't believe that this government at this time would be contemplating looking at a regulatory framework, looking at setting up a bureaucracy to deal with this issue.

I repeat my comments at the beginning. It is very, very simple. We have an Arbitration Act. We're saying that if there is a fundamental dispute between a franchisor and a franchisee, we're simply, by statute, putting a term in every contract across the province saying that either party has the right to refer that to arbitration. It's in the taxpayers' interest to keep these matters out of the court and it's in the interests of all these small business people to have something to rely on in protecting their life savings with these larger, controlling franchisors.

Mr Jim Flaherty (Durham Centre): I am pleased this morning to have an opportunity to speak to the bill that stands in the name of the member for Ottawa West, regrettably numbered Bill 101, because it of course brings up memories of Bill 101 in the province of Quebec, which dealt with English-only signs in the province. I regret the number on the bill.

But to deal with the substance of the bill, there are problems with it. It does address an issue that needs to be addressed, and I fully agree with the member for Ottawa West in that regard, that we do need to address the issue of the relationship between franchisors and franchisees in the province of Ontario. Indeed, we need to address it on a broader basis than that, because the franchise business phenomenon in Ontario extends into business relationships outside the province and many times franchisees in Ontario are entering into arrangements with franchisors who are located outside of the province.

So that's one point: that we need, if possible, a degree of interprovincial cooperation in the development of a franchise legislative framework that will work for all of the persons involved either as franchisors or franchisees in the Dominion of Canada.

I also agree that there is a need to have legislation that is fairly refined, in the sense that governments have a tendency to take a sledgehammer approach, and I think we ought to avoid that when we're dealing with business relationships not only as important as these but also as sensitive as these between franchisors and franchisees.

I agree with the honourable member for Ottawa West when he speaks about the importance of alternative dispute resolution. Alternative dispute resolution commonly involves mediation and arbitration. The proposal in this legislation, which is in section 2 of the act, section 2 being the main operative section of the act, talks about, "In the case of a dispute between a franchisor and a franchisee with respect to a fundamental term of the franchise agreement," and I'll stop there for a moment, if I may, because this is the first large difficulty with the bill itself. This term "fundamental term," as used in the private member's bill, is not defined although there is a definition section.

My concern from that — I also have experience in the courts and in litigating commercial matters, and I acknowledge the experience of Mr Chiarelli, the member for Ottawa West, in these matters. I'm sure he would

agree with me that this type of undefined term in the main operative section of a piece of legislation, rather than minimizing litigation, tends to promote litigation. It also promotes procedural problems, because an aggrieved franchisee, let's say, would have a situation where he would not know whether the matter with which he was dealing ought to go to arbitration or ought to go to the courts because the franchisee would be in the position of not being sure whether the term with respect to which he was dealing was fundamental or not fundamental.

I think we need to work harder on the alternative dispute resolution aspects of this to make sure that the concept works not just in the legislation, on a piece of paper, but that it actually works in practice to accomplish the goals that I'm sure are shared by the member for Ottawa West with most of the members of the House, and that is that we need to address this issue of the relationship between franchisors and franchisees.

The second part of the key section of the bill, in my view, is the second half of section 2, which deals with "Either party may require that the matter be determined by arbitration under the Arbitration Act, 1991 by giving the other party notice to that effect."

I have two concerns in that regard. One is that this is giving a mandatory arbitration power to one party, be it the franchisor or the franchisee, which would compel the other party to participate in arbitration under the Arbitration Act, 1991. That gives one party the power to avoid the traditional court proceeding. I think this is a matter that needs further consideration because of the advisability, in my view, and I think this needs to be discussed further, of including mediation before arbitration and the advisability of looking at forms of arbitration other than simply arbitrations under the Arbitration Act, 1991.

I'm sure the member for Ottawa West knows, as I know from experience, that arbitrations under that act are not necessarily cost-efficient. They can be very expensive, they can be very cumbersome and they can take a long time. I think we need to look a little bit harder at the alternative dispute resolution aspect generally and also in this piece of legislation to try to make it work on the ground and not just in theory.

The trend that seems to be developing not only in landlord and tenant disputes but in commercial disputes generally and in the courts is to first seek out mediation, which is having a remarkable success rate at very efficient costs and expeditiously. In that regard, I agree with the principle that is being advanced by my colleague the member for Ottawa West, but I think it needs a lot more work in order to make the approach a functional, useful approach for both franchisors and franchisees.

1020

The bill itself, I believe, was prompted by the dispute between Loeb and a number of its franchisees. We are fortunate that this dispute has been largely resolved, as reported in the press last week, by an agreed buyout between the Loeb grocery chain and the franchisees, so the impetus for the bill in that regard is no longer present, having been overtaken by events.

There is also the concern about consulting. My friends opposite have often criticized our government for perhaps not consulting adequately concerning issues. This is an

important commercial issue; it's an important issue for the relationship between persons doing business in the province. These persons are employing people. It's an area of business that is a growth area. I think we would all agree that we want to get it right.

In order to get it right, in my submission, it's very important that the key stakeholders are consulted. Consultations are taking place between the government and the Canadian Franchise Association and the Ontario Coalition of Franchisees, who are the two major stakeholder groups in the franchise industry. They do not support this bill, as I understand it, but they do definitely want to proceed with further discussions and further consultations, which are taking place. I had the pleasure in September of addressing the Canadian franchisors show at the Coliseum, and I heard from persons there their concern about how this matter is proceeded with. In that regard, there are a number of models, as members are aware.

Some of those models are self-management-type models, where those in the field, both franchisors and franchisees, have an opportunity to police their own, in effect, subject to a code of ethics and rules that they would promulgate. That is one of the possibilities. But the key, I repeat, is that we must consult. I think all members would agree that the stakeholders, the persons in the field who deal with the business life of franchisors and franchisees from week to week, need to have input, serious consultation, in order to arrive at a piece of legislation that one would hope would actually work in business rather than simply make a statement in a private member's bill.

For those reasons, I urge members of the House not to support this particular piece of legislation, although I would certainly agree with the member for Ottawa West that it is an approach that needs to be addressed, both with respect to ADR and with respect to the relationship between franchisors and franchisees generally in the province.

Mr Bruce Crozier (Essex South): It's a pleasure for me this morning to speak to Bill 101, An Act to provide for the Arbitration of certain Disputes relating to Franchises. As has been said by the member for Ottawa West and the member for Durham Centre, many of us are aware of the fact that legislation of this nature is necessary in that, as was referred to by the member for Durham Centre, there is a most recent high-profile dispute that legislation such as this would assist in, but these have been problems that have come up in the past and no doubt they will continue to be of concern to franchisors and franchisees in the future.

In fact, the Franchise Sector Working Team report has been more or less collecting dust since August 1995. All three governments, as was mentioned by the member for Ottawa West, have promised legislation in this area, but it has fallen through the cracks, keeps being delayed and always seems to be in the next session.

Bill 101 provides for an effective and cost-efficient method in which to deal with franchisor and franchisee disputes. As a matter of fact, I quote from the letter of Mr Chiarelli:

"It provides a viable solution to disputes between franchisees and franchisors, and addresses the immediate

need for a dispute resolution mechanism in the absence of comprehensive franchise regulatory control. By allowing either party to refer the matter to arbitration under the Arbitrations Act of Ontario, the legislation helps to provide a level playing field for all parties involved."

I think that's the ultimate goal of this legislation and any that the government may bring forth in future in the way of comprehensive franchise regulatory control. The real intent and goal for all of us is that there be a level playing field between the franchisor and the franchisee.

It's also important to note that the bill provides the right to arbitrate only those matters affecting fundamental terms of the franchise agreement and therefore cannot be subject to frivolous abuse. Comment has been made as well by the member for Durham Centre that the word "fundamental" causes some concern. If we all agree that we need to find a solution quickly and not let this go on forever, as it seems to have been in the past, the prudent and expedient thing to do would be to refer this legislation to committee. Then some of these concerns can be addressed.

This legislation will satisfy, in our opinion, the government's pre- and post-election commitments to provide legislation in this matter. The best aspect of the bill of the member for Ottawa West is that it creates no government bureaucracy, no government cost to deal adequately with the issue, and as we all know, the Arbitration Act is an existing statute in Ontario. It is highly respected as a way to deal with commercial disputes.

For example, in the runup to the situation we had with Loeb, the court system had to figure prominently in this dispute, but there was, no doubt, a lot of cost involved. There definitely would have been a significant amount of delay and waste of court resources if at that time we would have had an alternative such as Bill 101. As has been mentioned, Bill 101 uses an already existing and workable act, the Arbitration Act, and in using the Arbitration Act franchisees and franchisors will be saving not only their own money but they will also be saving tax dollars, taxpayers' money in the form of not accessing court resources.

In my estimation, and I agree that this bill should go to committee for further refinement if that's necessary, the intent and for the most part the content of Bill 101 is a fair, timely and cost-effective response to what has been a lack of regulation in the area of franchisor and franchisee disputes, and it's less intrusive than full-scale legislation.

I believe it builds on a very good piece of existing legislation and will go a long way to ensuring that a level playing field exists between franchisees and franchisors.

1030

Rather than dismiss the bill out of hand, as is the case with many private members' bills — they are intended to solve problems that aren't partisan in nature. They are problems that many of us here on both sides of the House have had our commercial constituents come to us with. In view of the fact that the government has a very heavy legislative schedule, it would be an expedient way to address a problem that will not go away. The longer it's delayed, the more times we as members are going to be

involved in helping constituents to solve these kinds of problems and the courts will be involved.

I would encourage those who are here this morning and those who will be voting on the bill to support it so that at least it may go to committee and get an appropriate review.

Mr Tony Martin (Sault Ste Marie): I certainly welcome the introduction of this bill here this morning. It's another attempt to solve a very difficult issue that continues to hang out there like a black cloud over Ontario, something that has been in front of government for a number of years now, something that some tremendous level of work has been done around by all flavours of government in this place and that governments of the day have not had in their time the will to really do anything about. I suggest some of that is because of the backroom, heavy-handed, very difficult lobbying that is done by the franchisor, a part of this whole equation, who continues to have a bit of a stranglehold on this type of business in Ontario and frankly is quite problematic.

If, as this government suggests, the free market, private sector approach to the delivery of goods and services and the way we do business in this province is the way we're going to go, it has to at least be interested in putting in place those vehicles that will make sure that transactions and business agreements and contracts between different parties are fair and that both parties live up to not only the legal requirement but the spirit of those agreements. If you don't have that, you really don't have a whole lot going for you, and your business sector suffers and the whole community thereby suffers. We've certainly had some very high-profile and very troubling examples of what happens to entrepreneurs, very responsible entrepreneurs in communities, when the big foot or the big thumb of the franchisor who decides they're not getting enough out of the agreement wants more and then they bring into play all of those vehicles that are written in either directly or indirectly to the agreement that allow them to pull the plug and just throw people out on their heads.

It's nice to see the Liberals bringing this forward. I remind the House that on two occasions over the last six years we as a party brought forward two bills. Jim Wiseman, a member from the Durham area of the province when we were government, brought a bill forward in response to a very difficult playing out of a disagreement between Pizza Pizza franchisees and the Pizza Pizza franchisor at that particular point in time. The government of the day, which happened to be New Democrat, took his bill by way of incentive to launch a review of this whole issue and brought together all of the major players, brought them to the table — franchisors, the franchisee association, legal counsel and others — to sit down and try and figure out what would be the most intelligent and progressive thing to do in this circumstance and, recognizing that this could come at us again, come up with a plan.

The report was delivered near either the very end of the previous government's mandate or the beginning of the present government's mandate. Anyway, it ended up in the lap of the Minister of Community and Social Services at that point in time for his review. In that report was the recommendation and very strong suggestion,

particularly by the franchisees, that the only way to come to terms with this really difficult problem was to bring in legislation that would do a number of things for the parties involved, including making sure that there was full disclosure of all information before agreements were entered into and that at the end of the day, if there was a disagreement, there was a table to which the parties could come and have some settlement arrived at that was mutually acceptable and would see that particular situation resolved so that we could move forward in some degree of harmony and good health for the business community and the communities within which these enterprises operated.

But the government of the day did not see it as a priority to move forward with this. It was shelved, it was put on a shelf, and when I came forward about a year ago with the same piece of legislation that Mr Wiseman had brought in for the review of this place, we found out that there was nothing being done at the ministry level about this issue. Whereas the franchisees out there thought that there was some legislation being put together, there was nothing happening. That was sort of a wake-up call, I guess.

I remember the morning that we had that debate in here and the government members got up. Mr Sampson, who has now moved on to bigger and better things, the portfolio of trying to privatize everything in this province, and the member who spoke previously here from the government party, Mr Flaherty, the member for Durham Centre, said the very same things. They said that we didn't need to regulate this industry. They expressed anxiety on behalf of the franchisor; didn't say too much, I believe, about the franchisee and his or her difficulty in this whole issue; and suggested that the government was going to do something, was going to bring the parties together, was going to make sure that there was a self-regulatory initiative begun and put in place. But alas, none of that has happened. Nothing happened.

I remember as well that the day I brought in my legislation we had four or five Loeb franchisees out there who were under direct threat of losing their stores. Because we didn't do anything at that time about the piece of legislation I brought forward, at least two of those franchisees lost their stores. These were not fly-by-night operators who were trying to make a fast buck at the expense of the community and the franchisor. These were hard-working, committed families who had invested everything they had, mortgaged their home to take on the operation of these stores and offered to their communities the best of service. Because they weren't able to give back to the franchisor the kind of effort and profit they expected, they just pulled the rug.

There was one family in particular, and I'm not sure exactly where they were now, but they owned a little store in a small community in northern Ontario. I sat and talked with them at the time that I introduced my legislation and it was a sad tale indeed. They had moved from their previous community, had borrowed money, taken all the money they had saved. They had mortgaged their house and moved to the new community and got into this business with great vigour and vitality.

But for one reason or another, the level of energy that they could put in diminished somewhat. I believe one of the partners in the relationship got sick, and because of that Provigo and Loeb decided that they weren't getting the kind of effort they needed so they spit them out and then decided either to bring in somebody else they could rape and pillage or to bring in somebody else they could convince to work as a corporate manager in that particular store so that they could maximize the profit they get out of that store and that community.

We had then two franchisees I know of, and probably more, who were just plain out of luck — their investment gone, their plans for their future gone, wiped out.

1040

It didn't end there. We continued to talk to the government about what they were doing. There was a change of minister and this thing, of course, got put on the back burner and nothing happened. Then all of a sudden we had this thing festering and, lo and behold, 20 to 22 Loeb franchisees decided, because of the strong-arm tactics that continued to be implemented by Provigo out of Montreal, that they would band together because individually — it's your archetypal David and Goliath story except that David in this instance just didn't have the firepower to individually go after the giant. Provigo just has too many resources. So 22 franchisees decided to come together, pool their resources and take the corporate giant on.

They came back to me and said, "Tony, it would be really helpful if we had the government moving on some legislation so that we could maybe shift this out of the court so that we could, at the end of the day, resolve this thing and keep our stores." The big thing here was they wanted to keep their stores, because they saw this as their future, as their nest egg, so to speak, as that which they were willing to work very hard at to make sure it was a huge success so they could turn it over to their family perhaps, or probably. They wanted me to encourage the government to move quickly to introduce some legislation that would create a table that they could come to to have this thing resolved so that Provigo could have some of its needs met but ultimately they could keep their stores and do what they do best.

Some of these folks started out in this business packing shelves and carrying out, and worked their way up so that they became the owners of the stores. They found themselves, for reasons beyond their control, being threatened with the loss of this opportunity that they had worked so hard all their life to develop.

We were told at that point, and continue to be told today, that the government is moving on some legislation, but we haven't seen anything yet. In the meantime, these 22 store operators — I believe there are still two out there who haven't come to any settlement or any agreement, so I think there's 20 now who have decided to settle out of court. It wasn't their first option. It wasn't what they wanted to do. They wanted to settle, but they wanted also to be able to keep their stores because that's what they invested in, that's what they do best, that's what they saw as the future for them and for their families.

Frankly, in my community anyway, the two stores that have now gone corporate, because the entrepreneurs who

were driving them have now lost their business, were some of the most responsible corporate citizens we had. These were not irresponsible operators of grocery stores. The two families that ran the grocery stores in Sault Ste Marie were your model entrepreneurs, the kind of people that you want to draw out of the woodwork to be the engine for this new economy you keep talking about. But if you continue to allow the bigger entity, the big guy, to have all the power and to use his resources in the way they have in this instance to just wipe people out because they don't agree with the amount of profit they're getting and they want more, then you won't have anybody wanting to be an entrepreneur, you won't have anybody wanting to take that kind of risk because it's just too great.

In this instance you had 22 operators come together and pool their resources to take on the giant, but at the end of the day it just wasn't enough. They didn't see that they could carry this thing far enough into the system to have a victory for themselves at the end of the day. They weren't looking for the whole tamale. They weren't looking for the whole thing. They just wanted to sit down with this franchisor and talk to him about some of the difficulties they were having around the supply of goods and what those cost and what they could sell them for, and ultimately to keep their stores. That didn't happen. It cries out to this place that we need to put in place something.

So today we have a package brought forward by the member for Ottawa West, Mr Chiarelli, that will go a ways. There are all kinds of examples of legislation out there, even in Canada, in Alberta. There's a wonderful piece of legislation in Britain called the Fair Practices Act that would do the trick. But the government has to have the will to see this through. Even if Mr Chiarelli's bill goes to committee — we could have a real good discussion there, we could bring some people in and we could make his bill fit, but at the end of the day if the government doesn't agree with it, it's toast, it doesn't go anywhere.

We continue down that road and we will have more — trust me — of this happening because franchising, franchisor, franchisee, the whole franchise industry is one of the newer approaches to doing business in our province, and if we don't regulate it in a way that makes it fair, we will have disaster after disaster.

So I today exhort the House, the members who are here, to support this bill. I hope the member for Ottawa West would have enough of his members on side to make sure we get a good crack at it. Last time, when I brought my legislation in, there were a number of your people who didn't vote for it. I hope that today they will, and that the members across the way recognize that we need to do this, if for no other reason but that it's in the best interests of some of the principles that you're espousing re how our economy is going to grow.

Mr Tom Froese (St Catharines-Brock): I'm pleased to speak this morning on private member's Bill 101 as put forward by my colleague on the other side of the House, the member for Ottawa West. The issue of providing a legislative mechanism to a franchise dispute is a complicated one. If the House will bear with me, I'd just like to digress a little bit.

This government was elected because its members campaigned that we would carry out the five key components of a job creation plan. We would cut personal income taxes. We would reduce non-priority government spending. We would remove government barriers to job creation, investment and economic growth.

Mr Michael A. Brown (Algoma-Manitoulin): Mike said this yesterday, Tom.

Mr Froese: But you need to hear it again. You're right, the Premier said it yesterday.

We would cut the size of government and provide the people of Ontario with better for less and we would balance the budget.

Someone might ask, though, "What do these five points have to do with franchise arbitration?" They have a great deal to do with Bill 101. Let's look at why we're cutting taxes. We're cutting taxes to create jobs and to stimulate the economy and, in so doing, bring prosperity back to Ontario. Why? So that the taxpayers can spend it on goods and services they want and need.

Franchising plays an important role in Ontario's economy in providing those goods and services, currently the most widespread in terms of new investment and business development. Opening franchises now accounts for about 30% of sales and 80% of all business successes that survive the first five years. There's actually an 80% chance of success for franchisees. So the need for a franchise dispute mechanism will be less because of the success rate. I also will discuss later, human nature being what it is, that it will not be eliminated altogether.

The second point my government pledged was to cut non-priority government spending. What that means in real terms is that if there's a dispute we have to find ways to bring the franchise partners together that does not necessitate a new bureaucracy. That will not help anyone.

As was said earlier by my colleague the member for Durham Centre, the industry has identified that it wants legislation to deal with problems but in a self-management environment. What we need is balance, and we need not get that by implementing legislation. As to non-priority spending, it tells the industry exactly what to do and when to do it.

The third point was that we said we would cut government barriers to job creation, economic development and investor growth. We need to ask ourselves, will Bill 101 act as a barrier to economic development and job creation? To answer that question, let's look at both the advantages and the disadvantages of franchising.

Chief among the advantages is that it's often much easier to start a new business because the investor has the support of the established parent company, the franchisor. The franchisor can provide the entrepreneur with assistance in obtaining financing, site selection, building construction, supervision, employee training and ongoing support during a difficult break-in period. It's important that the government of the province does what it does. It will create the climate for more such partnerships and investment. We have to be careful that we're not adding red tape without getting the full input of the industry and without looking at the issues involved in settling disputes.

The bottom line is that any legislation dealing with relationships between franchisors and franchisees needs

to be driven and monitored by the industry itself. I understand why Bill 101 is being brought forward, but it's not the answer to finding that balance between the two parties involved in franchising. We know there needs to be a code of ethics and disclosure requirements. The franchisor needs to set the parameters and the franchisee needs to know what they are getting into right from the start.

In my opinion, we need legislation that identifies and provides for all factors that drive and affect the entire industry. We also need to make sure that we create conditions for success for those in business now and those willing to invest in new franchise business opportunities, and our plan is working.

I'll be voting against the bill because I don't see where the balance is and where the legislation is industry-driven. That is primarily the reason why I will vote against the bill.

1050

M. Jean-Marc Lalonde (Prescott et Russell) : Je crois qu'il est très important pour les membres de cette Assemblée de reconnaître le projet de loi 101 prévoyant l'arbitrage de certains différends concernant les franchises.

Les familles, les employés et les propriétaires des franchises Loeb viennent de vivre des situations que personne d'entre nous ne voudrait vivre. Ce projet de loi éviterait ces moments déplorables que ces familles ont dû endurer tout récemment.

Nous savons que les franchises Loeb appartiennent à Provigo de Montréal. Vingt-et-un magasins franchisés ont été impliqués récemment dans cette poursuite. J'en avais nommé quelques-uns : Loeb Arnprior dans le comté de Carleton ; Loeb Bayridge ; Loeb Blind River ; Loeb Brady Street ; Loeb Cochrane ; Loeb Elmvalle Acres ; Loeb Fisher Street ; Loeb Golden Mile ; Loeb Hazeldean ; Loeb Kirkland Lake ; Loeb Korah Road ; Loeb LaSalle Court ; Loeb Lincoln Heights ; Loeb Manotick Mews, encore dans le comté du député de Carleton ; Loeb Mattawa ; Loeb Meadowlands ; Loeb Petawawa ; Loeb Prescott ; Loeb Rockland ; Loeb St-Laurent ; et Loeb South Porcupine. Nous avons 21 franchisés qui sont impliqués dans cette poursuite. On aura pu modifier la loi pour aider ces gens.

Je me rappelle une rencontre avec le ministre de la Consommation du temps, le député de Carleton, le 14 août dernier. Il avait son équipe du département de la loi avec lui. J'ai une lettre que j'ai reçue le 3 janvier 1996 qui se lit comme suit au troisième paragraphe :

«Le ministre a admis qu'il existe actuellement un manque d'équilibre et qu'il était au courant d'abus de pouvoir de la part de certains franchiseurs, incluant Loeb. Bien que son parti soit plutôt porté par la déréglementation, il a l'intention de discuter de ce problème avec ses homologues des autres provinces au cours du mois de février. De plus, il a évoqué la possibilité d'introduire un projet de loi au printemps» — c'est le printemps dernier en 1996 — «quoique ce projet de loi ne serait sans doute pas en tête de liste des projets de loi de son gouvernement.»

Nous avons eu plusieurs discussions ainsi avec le nouveau ministre de ce ministère, le député de Markham. Nous étions sur le point d'arriver avec un nouveau projet

de loi qui aurait été présenté en Chambre il y a quelques semaines. Mais nous avons constaté que les franchiseurs ont mis de la pression sur le gouvernement actuel afin qu'on n'arrive pas avec un projet de loi. C'est regrettable que l'on doive procéder avec de la politiaillerie que nous connaissons dans le moment.

J'ai eu la chance de regarder le procès-verbal du mois de janvier 1996. Aucun avocat n'aurait accepté ce qui était décrit dans ce procès-verbal. Je ne sais pas si mes collègues du gouvernement étaient bien au courant que seulement quatre franchisés pouvaient assister aux réunions. Aucun des franchisés n'avait le droit d'avoir avec lui son avocat ou son conseil légal. Nous étions obligés de signer les ententes. Le magasin Loeb voulait augmenter le volume mais avec pertes à nos franchisés. C'est bien beau de dire que nous reprenons les magasins, que nous allons désigner notre propre gestion afin d'avoir le plein contrôle, et le but principal était de joindre le volume de Maxi — Maxi, c'est une succursale de Loeb — et toujours au détriment des franchisés qui existent actuellement.

Je crois qu'il est temps que le gouvernement regarde de très près. Nous savons qu'il y a d'autres franchiseurs qui s'en viennent, tels les Tim Horton's, les Pizza Pizza, bien, nous avons gagné la cause en cour, apparemment. Mais aujourd'hui le gouvernement a bel et bien la chance d'appuyer un projet de loi qui est déposé par mon collègue d'Ottawa-Ouest qui pourra éliminer tous les problèmes que nous venons de vivre. Si mes collègues du gouvernement pourraient constater le harcèlement qui existait durant cette période de temps, c'est presque incroyable de voir le harcèlement que toutes ces familles, ces propriétaires ou ces franchisés ont dû vivre depuis janvier 1996.

Je crois que le ministre de la Consommation et du Commerce était au courant. C'est un expert dans les franchises. Il était au courant et il est sensible à la cause, mais je suis convaincu qu'il a reçu de la pression de son Cabinet ou du premier ministre de cette province en lui disant, «Laisse tomber ce projet.» Je crois que nous avons de gros supporteurs financiers derrière le premier ministre qui auraient peut-être empêché le premier ministre à recevoir des fonds pour les prochaines élections. Mais je crois que notre tâche pour nous tous, les élus de cette province, c'est d'en arriver à une entente au meilleur de notre conscience et puis, dans ce cas, je dirais que la conscience de tous les élus de ce gouvernement était de protéger nos petits franchisés.

Mais ce n'est pas ça qui va arriver. Encore une fois nous allons protéger les gros financiers. Dans ce cas-ci nous allons protéger la chaîne de magasins Loeb, dont le propriétaire est Provigo de Montréal. Dans ma propre ville on m'a appelé un soir et puis nous avons reconnu que le serrurier était à la porte, prêt à changer la combinaison du coffre-fort, prêt à changer la serrure de la porte.

Sur le boulevard Saint-Laurent à Ottawa, la même chose. Sur Elmvalle Acres, la même chose. J'étais sur place. L'épouse du propriétaire pleurait ; les employés à la caisse pleuraient. Ils voyaient le serrurier à la porte avec les gardes de sécurité et on venait changer les serrures. Pourquoi ? J'ai ici la liste qu'ils avaient reçue

avec toutes les dates qu'on voulait procéder avec la fermeture de tous les magasins.

Mr E.J. Douglas Rollins (Quinte): I would like to say that I will be supporting the bill.

I was one of those franchisees who had the rug pulled out from under them after 25 or 26 years with the company, and they came in and told me by a 30-day notice, "You're out of business." I want to support the bill we've got coming forward.

I find it awfully hard to think that I'm supporting something the member for Sault Ste Marie is supporting, but I'll have to deal with my conscience later on tonight. But I can tell you that those big companies care little or nothing about the little guy, and I was one of those little guys they pulled the rug out from and I think we need that kind of support for those individuals. That's why this person from Quinte is going to stand up for the little guy. I was one of those little guys.

1100

The Deputy Speaker: The member for Ottawa West, you have two minutes.

Mr Chiarelli: I think the people across this province should know that the member for Durham Centre is the parliamentary assistant to the minister responsible for this particular issue. I also think the people of Ontario should know that the then minister, on September 25, 1995 — that was Mr Norm Sterling — issued a press release which said: "Consumer and Commercial Relations Minister Norman Sterling today said that he was pleased to receive the Franchise Sector Working Team report presented to him on August 30, 1995" — 15 months ago. The minister's press release goes on to say: "The minister said he will share the report on franchising with other provincial governments since franchising affects all provinces."

Well, I wonder what happened to Canada Post. They've had this now for 15 months and they've done nothing. This is the government that represents business people. They represent these tens of thousands of small business people who are franchisees who are getting hammered by the big franchisors, and what do they do? Nothing. Absolutely nothing. They close their eyes. Here is one minister saying, 15 months ago, that he's already got the results of all the consultation, and 15 months later we have a new minister saying: "Maybe we'll do something in the spring. Oh, this isn't good enough."

The member for Durham Centre says quite clearly he agrees with the principle of this bill. Then he should support it. He should send it to committee, and if he wants to change some of the definitions, if he wants to close some of the problems with terminology, he can do it in committee. We can work together, we can work with it in a non-partisan way.

I think the only way this government will deal with this issue is if there is a new minister. If that new minister happens to be Mr Guzzo, my former law partner, he understands the problem with franchisees. He will do something and he will get some action, and I encourage Mike Harris to appoint him.

The Deputy Speaker: The time allotted for the first ballot item has expired.

VOLUNTEERS

Mr Galt moved private member's notice of motion number 33:

That in the opinion of this House, the government of Ontario should recognize the important role of volunteers in the province of Ontario, should consider their concerns about their exposure to liability and that barriers to voluntary service be removed and that volunteers should be encouraged and be properly recognized for their efforts.

The Deputy Speaker (Mr Gilles E. Morin): Pursuant to standing order 96(c)(i), the member has 10 minutes for his presentation.

Mr Doug Galt (Northumberland): In his famous book *The Prophet*, early-20th-century philosopher Kahlil Gibran wrote: "You give but little when you give of your possessions. It is when you give of yourself that you truly give."

Here in Ontario, we have literally millions of people giving of themselves every day. They do this by donating their time and their efforts to charities, to hospitals and to religious organizations, to service clubs for Lions Clubs International, to minor hockey and softball leagues, to medical research and service organizations like the Heart and Stroke Foundation, the Canadian National Institute for the Blind, and the Canadian Cancer Society, just to name a few.

Volunteers do this work without compensation, they do this work without being asked, and they do this work solely for the benefit of their fellow human beings. They only seek to serve and to return something to the communities in which they live.

Volunteer efforts enhance the social fabric of Ontario in a way that government or business never can. In fact, volunteer efforts in Ontario, and indeed across Canada, are vital to the health and the wellbeing of our respective communities. Volunteers help to ensure that our neighbourhoods are protected and that our children are safe. They help the needy and the disadvantaged in society in often very personal ways. They support medical advances and scientific research. They help both the young and the old to cope in an increasingly fragmented society.

Statistics Canada says that as many as four persons in 10 have volunteered for a community or social agency. One person in three has volunteered or helped to support a religious organization. Although it is difficult to quantify the value of volunteer work, it is safe to say that billions of dollars worth of effort is expended by volunteers every year. We also know that volunteers give more to charities than the average donor.

The Canadian Centre for Philanthropy reports that donations to charity in Canada totalled more than \$8 billion last year. This money went to some 69,000 registered charities, many of which operate completely without government support.

It is often said that the charitable sector, or the third sector, as business guru Peter Drucker calls it, is the fastest-growing social grouping on this continent. The staff and the volunteers of these organizations do for the community what DOS does for dummies in personal computing. They make it easy to try something new and

very worthwhile. They can do this because they have the flexibility to experiment without making huge investments in hardware and program delivery. They have proven themselves to be more efficient than either the private or public sector. In fact, the social capital provided by volunteers is one of the last great and growing resources in our society.

The resolution I am putting forward for a vote today recognizes the immense social capital contributed by volunteers across this province. It seeks to give a little back to these volunteers and to the organizations they represent. I believe there are many opportunities for our government to encourage these volunteer efforts through legislative change and policy adjustment.

While I recognize that many efforts to do that are already well under way, I believe we must make a public commitment to our province's volunteers. We must make a commitment to encourage their efforts and remove barriers to voluntary service.

These barriers take many forms. For instance, members of voluntary boards of directors have liabilities under the law that are in many ways inappropriate to a volunteer organization. Although few are prosecuted under these laws, the perception that volunteers are risking their assets and their life earnings to serve has a significant impact on their willingness to become involved. What's more, purchasing liability insurance is often too costly for all but the largest charitable organizations. As a result, many forgo this option, preferring to use assets instead for the betterment of their community. In doing so, they are putting themselves at risk. This is but one example of the tough decisions volunteers in the third sector are facing.

At the same time, I'm not suggesting that volunteers should be completely absolved of responsibility for their actions. If it is shown that a volunteer has acted with gross negligence, malice or ill intent, indeed the person should be held accountable. In the case of an automobile accident, for instance, even if the driver is a volunteer, all existing regulations and statutes should be applied.

But what I am concerned about is that charities and volunteers operating in Ontario do not have any protection from liability in carrying out their charitably motivated actions. I believe this is a very important distinction to make. In contrast to Ontario, many jurisdictions across North America have enacted volunteer protection laws that provide some protection for volunteers against liability.

This protection is based on three fundamental principles: the volunteer was acting in good faith; the volunteer was acting within the scope of their official functions; and, finally, that the damage or injury was not caused by wilful or wanton misconduct.

That, I believe, is the litmus test for many jurisdictions, and I believe we can successfully apply the same conditions here.

A thoughtfully constructed volunteer protection law would demonstrate that we are serious about encouraging the volunteer sector. Given the tremendous social capital and value that volunteer organizations contribute to Ontario, I believe the time has come to seriously address their concerns.

1110

Many in the voluntary sector are concerned that they are not considered or involved in the formation of relevant public policy. They are concerned that the value of volunteerism is not adequately recognized at the highest levels of government and that their organizations are not adequately protected against liability arising from charitably motivated actions. It is within the power of this government to allay those fears and take tangible action to support volunteers. I would like to recommend strongly that we do just that.

Until the 1960s many volunteers worked in charitable organizations and religious organizations to bring a quality of life to Ontario. In the late 1960s, some 30 years ago, governments across Canada thought they could do it better. They went into a cycle of spend and borrow, and as a result we've ended up making bankers rich, and the province of Ontario has an \$8.7-billion interest payment to pay this year. That \$8.7 billion in interest could build things like 13 SkyDomes across Ontario. That is what \$8.7 billion in interest is equal to.

It is obvious that we can no longer continue that kind of cycle of spend and borrow. Once again, it is imperative that we look to the volunteer sector, that third sector, to assist us in ensuring that we have the quality of life in Ontario that our children deserve.

Therefore, be it resolved that in the opinion of this House, the government of Ontario should recognize the important role of volunteers in the province; it should consider their concerns about their exposure to liability; that barriers to voluntary service should be removed; and finally, that volunteers should be encouraged and properly recognized for their efforts.

Mr Bernard Grandmaitre (Ottawa East): I want to congratulate the member for Northumberland this morning for introducing this bill for many reasons. It gives me an opportunity to boast about the volunteers in my own community and how effective they are. If it weren't for volunteers in my own community I don't think the quality of life would be as good as it is.

Volunteers in my community have built an arena and a number of parks. These parks and the arena are not being managed, but are supported by volunteers. With the help of le Club Richelieu, which raised \$300,000 to build a community centre, which is called le Centre Richelieu, along with the Kiwanis Club and the Lions Club, all volunteers raised close to half a million dollars, and these facilities were built because of volunteerism, because of volunteers who continue to improve the quality of life in our community.

When we look at a community, too often we look at the measurable assets of a community. We look at roads, transportation and the infrastructure and we say that all these great things will improve or are improving the quality of life in the community. I say that without volunteerism my community wouldn't be the same. I think volunteerism is an asset and I encourage all communities right across Ontario to invite volunteers to participate in the real life of our community. I usually brag about my senior citizens club. They have 1,600 members in this club, the largest in Ontario. They just

raised \$350,000 to build their own centre — again, all volunteers. I think this is an asset to my community.

If you want to talk about the recreational activities, baseball, softball, hockey, these sports are being managed by volunteers for the simple reason that our tax base, our tax assessment, is a low one. When 70% of our tax base comes from residential taxes we have to depend on volunteers. The nice thing about volunteers in my community is that we have a mixed quality of life in my community. A lot of people think that it's mainly francophones who live in my community but actually there's only 49% francophones. We have Italians, Portuguese, English-speaking people, and we all work together. When I went to school we weren't divided. English- and French-speaking and Portuguese and Italian kids would play together in the same yard and would be educated under the same roof. I think this is where we grew this volunteer taste to help each other and I think this is why my community is chosen every year as a model for volunteerism. I can't stop celebrating what they've done for my community.

I realize what the government of Ontario has done in the last 10 or 15 years. Every year they recognize volunteers in the province of Ontario, but this is only once a year. I think we should celebrate volunteerism in this province every day, because they do improve the quality of life, and that's what a community is all about. It's not about sidewalks, it's not about paved roads, it's not about the traffic in your community; it's about people. When we plan a community in the province of Ontario we usually think about infrastructure first, then we think about people. It should be the opposite. We should plan with people in mind, then have the infrastructure to serve these people.

I know that if I didn't say a word in French, my volunteers in my community wouldn't appreciate it.

Je veux profiter de cette occasion pour féliciter les nombreux groupes volontaires dans ma communauté. Je pense aux dames auxiliaires de la Légion, de l'hôpital Montfort, à tous ces gens-là, aux milliers de personnes. Pourtant je demeure dans une petite communauté, et par contre nous avons un grand nombre per capita de volontaires.

Ces gens-là ne sont jamais payés, et le gouvernement devrait reconnaître le bienfait de ces gens-là. Si le gouvernement de l'Ontario aujourd'hui devait payer chacun de nos volontaires, ça leur coûterait 2,1 \$ milliards par année — \$2.1 billion in services.

Il faut reconnaître que la qualité de la vie d'une communauté ne dépend pas surtout des services comme les routes, les trottoirs, toutes ces choses-là. Ce sont des gens, et on manque trop souvent l'occasion de féliciter ces gens-là et d'encourager d'autres à faire profiter leur communauté.

I will be supporting the member's bill and I hope that all of us will join and support this bill.

1120

Mr Tony Martin (Sault Ste Marie): This resolution this morning at first blush is motherhood. I think we all agree that the volunteer sector and the contribution that volunteers make to our community is an invaluable way of getting some things done that otherwise wouldn't get

done, an invaluable way of using the time and resources and expertise of people to help community, to help themselves, to build a community, to contribute to quality of life, that is just unparalleled in any other way; and that we should be doing all in our power to encourage and support and to assist in that effort. And that happens. It's been going on for a long time and will continue to go on. We'll find ways to support that and to make sure that it continues to be an integral and important part of the life of all the communities in this province.

But when you look at this piece of legislation in the context of the agenda of this government and what this government is about and what it's been doing to people and what it proposes to do and when you listen to some of the comments at the end of the speech of the member who has introduced it, the member for Northumberland, it takes on a different flavour, it takes on a different colour, it becomes a fish of a different stock. I think we have to talk about that.

We would be doing the people of this province a great disservice, those of us who have been elected to come here, particularly those of us of a New Democratic persuasion, if we don't uncover some of this, unravel it, take out some of the layers so that we see what in fact is at the heart of it.

I spoke the other night about legislation that has come from this government over the last year and a half, most of it being a Trojan horse: It comes packaged in nice language, very fluffy and soft and feel-good public relations supports, with names like "legislation to assist tenants, legislation to assist workers," and all that; but when you peel away some of what, yes, is put in by way of some small token of something helpful, we find that the heart of the matter is a taking away, a diminishing of the things that we as a community over a large number of years have put together to facilitate the total life of this province and this community.

What this resolution really is about is paving the way for initiatives such as workfare, making workfare seem somewhat more palatable because it's in the volunteer sector. It's making sure that those organizations that take on the workfare recipients are not liable and are more willing to do it, because they're having a hell of a time out there getting any community or any organization to buy into this —

Mr Len Wood (Cochrane North): Change the name.

Mr Martin: That's right — into this program, Ontario Works. You change the name, but it doesn't change the beast. Anything this government says or anything a member of this government says that feels in any way supportive of people helping people, supportive of communities, supportive of some of those very important institutions and traditions that we've built up collectively over the years to assist all of us as we live our daily lives, to enhance quality of life, is, in my mind, suspect because of what they've done, because of their track record to date.

As I said, certainly this resolution lends itself very clearly to paving the way for groups and individuals in our communities to become involved in the whole issue of workfare.

We'll move on to another area: education. We hear in the education system that we're going to move more and more students out into the community to work in co-op programs, to go and spend a few hours every week at McDonald's, for example, so you learn how to flip hamburgers and how to scrub the floor —

Interjection: Five hundred people looking for one job.

Mr Martin: Five hundred people working for — and we call this volunteer; it's opening up the volunteer sector. We know what it is: It's getting work for nothing. It's delivering programs to people for nothing that we, as a collective, as a community of people, have decided over the years were worth paying for. We believed that people making a salary and collecting a wage for doing very valuable work in the public sector is worth paying for, because those people, ultimately, take the money they get and spend it back in the communities. It goes into the cash registers and the tills of the small business community that you seem, in word anyway, so readily to support, but in fact when something comes before the House that talks about protecting and supporting small business, like the bill that we had previously here, you very clearly will not, most of you, support that.

To suggest for a second that anything you do by way of, for example, this resolution that's in front of us this morning is somehow going to be helpful in any way to the communities and people of this province is not supported by the track record that you have so far. Everything you do hurts people; everything you do particularly hurts vulnerable people and marginalized people.

Interjections.

Mr Martin: You laugh over there.

The Deputy Speaker: Order. Go ahead.

Mr Martin: July 1995 was probably the high-water mark in meanness.

Mr Jim Flaherty (Durham Centre): Are people being mean to you, Tony?

Mr Martin: You're being mean to the people of this province. To come in here today with this warm fuzzy and expect that people are going to buy into this and not see it for what it is speaks volumes of the naïveté of some of the members of your caucus around just exactly what you're doing and what people are seeing and feeling out there in the communities.

I was going to say that in July 1995 I woke up to the announcement from this government that it was going to take 22% out of the income of the poorest and the most vulnerable and the most marginalized in our province. Can you imagine, Speaker, if you or I or the members over there walked into work one morning and the boss just said: "We're going to take 22% of your salary today because we think it's going to be good for you. It's going to make you more responsible; it's going to make you more accountable. You're going to probably work harder for the money that you get. Ultimately, it's going to be good for the whole community."

We know that that's just not true. We know that when you take money away from the poorest —

The Deputy Speaker: I'd like to bring you back to the topic, which is on volunteers.

Mr Martin: Well, I am.

The Deputy Speaker: Not quite. No, no.

Mr Martin: This is private member's hour.

The Deputy Speaker: At the same time, you have to stick to the topic. If you don't stick to the topic, I'll have to rule you out of order.

Mr Martin: That would be really unfortunate, and I think it would be a misuse of your power.

Mr David Tilson (Dufferin-Peel): — fireside chat.

Mr Martin: Whatever. You call it what you like: fireside chat. That's the language you use to hurt people in this community in Ontario.

If this was really about supporting and helping volunteers, I would have no problem, because as I said when I started out, it's motherhood. But it's not about that. It's about paving the way for moving public service jobs into the private sector. It's about paving the way for the introduction of your workfare initiative that is having an awful hard time getting off the ground. It's about paving the way for moving kids out of the classroom where teachers are being paid to teach them into the co-op sector of the community so that they can learn how to flip hamburgers and shovel snow and wash floors. That's what this is about. It's about nothing else.

Trying to present to us this morning this warm, fuzzy, "Let's support volunteers," as I said, is typical of the way this government has delivered everything by way of legislative agenda and initiative in this province in the last year and a half. It's tearing at the very fibre, it's taking thread by thread from the fibre that has been put together by all of us. You in particular, Speaker, have been here a lot longer than I have, and you've seen governments in this place work together to try to put in place the best of services for people, the best of education, the best of health care. You've seen us grapple with how we pay for that and make sure that those who are delivering those services have the resources they need to be the best they can be.

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What we have out there in the communities across this province are teachers and nurses and social workers who have spent most of their lives becoming the best they can be in that profession, investing in their professional development, now having to turn to the volunteer sector to be able to use that resource they are for all of us, and not be paid for it. How does that help anybody? How does that help my community? When you turn health care and when you turn education and when you turn social services over to the volunteer sector, you take money out of my community. You take bread out of the hands of the children, of small business people in my community.

Let me tell you what happened to my community when this government decided they were going to take 22% out of the income of the poorest of the people who live in Sault Ste Marie. Twenty four million dollars was gone out of the economy of Sault Ste Marie, \$2 million a month, \$24 million that was spent annually. It was \$24 million a year out of the small business sector, out of the cash registers of the corner stores.

When you decided to turn social services and health care and education over to the volunteer sector, which is what this is really about, you took, up until September 1995 — and that's just the first three months of your

mandate — about \$35 million out of the economy of Sault Ste Marie, money that was spent in corner stores and grocery stores and at garages, money that circulated among all of us to make sure that all of us could pay for those services we need and the food we need and to pay the rent and to build new homes etc.

And the carnage goes on. When we see in January 1997, when we all come back here, what you're going to do in the municipal sector and the education sector by way of changing the governance and all that means, what it will be about in the end is taking money away from communities, taking money away from the education system and turning a lot of the work the professionals in those areas do over to the volunteer sector and pay them absolutely nothing for their efforts. That is what this is about. This is about paving the way. This is about trying to convince people that you folks over there have a heart. But we know you don't. There's no heart and there's no soul in the government you are part of, and there is nothing in what you've done so far to indicate that down the road somewhere you might in fact discover that you do have one.

It doesn't matter how wonderfully you talk about the volunteer sector and what they do and what they offer to the community you live in. It doesn't matter how you couch it. It doesn't matter how many times you bring the Trojan horse in. At the end of the day, the soldiers jump out with their guns and their knives and they shred the fabric that we all collectively have woven over the years to make sure we looked after people who were in need, that we had the best of education, that we had the best of health care, that we had the best of social services in this province.

As a matter of fact, when you look at the reports that are written about why Ontario is forever these days being recognized by the United Nations as the envy of the world, the place where people would love to come and live, it's because we have good services and because of previous government. What you're doing in your short year and a half is destroying all of that, you're taking away from it. It won't be long, because of what you're doing to the public sector and because of what you're foisting on the volunteer sector, that we will become every inch a Third World country, a have-not country. The gap between the rich and the poor is widening, and you're not going to be able to bring it together with the volunteer sector. You're going to have to get back to giving those people who need it the resources to do the job that we all know they should be doing.

The Deputy Speaker: I would just like to remind the members that the member for Northumberland's resolution was quite clear. It was on volunteers, and the topic should be on volunteers — as simple as that.

Mr Tilson: I think we've just heard an excellent example from the member for Sault Ste Marie of why this province is in the terrible economic position it's in. However, I won't dwell on that, because the purpose of the resolution brought forward by the member for Northumberland is to bring to the attention of this House and to the public the problem we have in our society of volunteers who are doing things in a society that is becoming more and more litigious, and how do we as a

government or how do we as a society protect those volunteers?

Families in the past, and not so long ago, at a time when life was a little slower, helped each other, communities helped each other. They do to a certain extent still, but not as much, because different governments over the years, of all political stripes, have done more and more and more for different groups in our society, until we have reached, of course, a position where we have no money. The money is all spent. We have a debt in the province of \$100 billion.

This government and, hopefully, other governments around this country will look at the fact that we need to count on our volunteer society. We need the families and friends and members of our society to help us in a more personal way.

Mr Martin: Services won't get delivered otherwise.

The Deputy Speaker: The member for Sault Ste Marie, you had your turn.

Mr Tilson: Quite recently there was legislation put in this House called Bill 79, which dealt with a number of things. One of the things it dealt with was volunteers and improving their plight with respect to incorporated organizations and charities, making life easier for them by enabling them to obtain liability insurance coverage.

The purpose of this resolution, as I understand it, is to talk about the individual, the person who drives seniors to different areas of our community, the single volunteer. We need those people. We need those people, and they run a great risk of getting sued in this particular society we live in.

In my community, for example, there are three men, Chuck Landry, Jim Blackwell and Doug Clark, who run a golf tournament. Those three men — they're not incorporated — have promised to raise for our community \$72,000 for our local hospital. That's all they're doing, and they don't have any protection. They run a great risk of being sued personally for problems that may occur. But that's what they've undertaken to do.

There are individual restaurateurs who open up their kitchens to feed the hungry on Christmas Day and other times of the year. I'm talking about people in my community. I'm talking about volunteers in our community, and those people do have some sort of risk —

Mr Martin: Why don't you give people enough money to feed themselves at home?

The Deputy Speaker: I'd ask you to follow the procedures and stop heckling.

Mr Martin: I can't handle this.

The Deputy Speaker: I'm asking you. If you can't, then I'll take the measures I have to take.

Mr Tilson: The mayor of Orangeville, Mayor Rose, has organized a youth advisory committee. Its purpose is to set up a drop-in centre for our youth in the town of Orangeville. They have accepted donated games and amusements from individuals to help form this drop-in community. Those people aren't any part of any charity or any organized group, and they literally are unprotected.

Santa Claus parades: We all have Santa Claus parades, particularly in the rural communities, and they're volunteers, single volunteers, not large groups or organizations,

who volunteer their time, volunteer their trucks, volunteer their flatbeds, those sorts of things.

That is the purpose of this resolution. I commend the member for Northumberland for raising it in this House. We need these volunteers to survive. We need the assistance. There's no question that the people who are perhaps injured by accident need protection as well. I don't think the member for Northumberland is offering any particular solution, but he's raising a concern. We need to encourage our volunteers in our communities, and there's a concern that needs to be addressed, and hopefully all members of this House will consider that concern, particularly in the area of liability, because these volunteers who help us in all of our — I've just mentioned a few in my community and I'm sure every member in this House, whether you live in a rural community or whether you live in a large urban community, could stand up and give personal examples of people who need protection. Congratulations to the member for Northumberland.

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Mr Michael A. Brown (Algoma-Manitoulin): I am pleased to stand, and I want to indicate right off the top that I'm very supportive of the resolution before us today in that volunteerism in Ontario is very, very important.

I appreciate the comments from the member for Dufferin-Peel. I think that is what the member is attempting to get at: the legal liabilities that are incurred by volunteers across the province. I appreciate the member raising this issue, but it's terribly complex. I am not a lawyer, but I know that the issues being raised by the member for Northumberland are very difficult to solve.

I hope the government will do its best to find ways so that we don't have Rotary Clubs, we don't have Kinsmen Clubs, we don't have Kiwanis Clubs, we don't have hospital auxiliaries, we don't have all those people paying out large amounts for liability insurance. They're raising money, and I just don't appreciate the fact that they have to send it off to insurance companies somewhere. I also appreciate the fact that volunteers in our society as individuals, just doing things as individuals, need some help.

I was surprised, however, at how we somehow got back into class warfare in this, on a resolution supporting volunteers. The government and the third party — if there was ever a division in the world. I don't know how we could get into it on supporting volunteers.

I want to give the member for Northumberland an opportunity to correct I think a misstatement, at least I hope it is. He said he wanted to get back to the 1960s in terms of volunteerism. Well, I'll tell you, in my constituency we have more volunteers doing more things today than we had in the 1960. I don't think that we want to go back to the 1960s in the constituency of Algoma-Manitoulin.

I think about all the good things our volunteers are doing in the city of Elliott Lake, the city of rebirth, a phoenix, if you like, a city that has gone through losing 4,000 extremely well-paid mining jobs to now the premier place for seniors to come and live with a quality of life that is unsurpassed in this country. That has happened because of volunteers. The whole concept came

from volunteers. It was supported by government, though, by the way, but the absolute quality of life is certainly more dependent upon the volunteers than on the government sector.

I think of the Lions Club at Serpent River. I think about the Rotary Club of Gore Bay that, 10 or 15 years ago when I was involved with it, raised 70% more than they needed to to build a medical centre and then was able to donate those additional funds to equipment and things the physicians would need at that medical centre.

Volunteers are more important than ever. I do not see it as — the government seems to be painting this as, "We've got to get it out of government so the volunteers can do things." I don't see it as that kind of issue. We need volunteers. Governments have a problem. Goodness, we have a government that's borrowing \$8 billion or \$9 billion this year, \$8 billion or \$9 billion more than a Liberal administration borrowed in five, a government that is going to give a tax break of \$12 billion when they're in absolutely very difficult financial straits.

I understand that there's a problem, but the problem isn't one between government and volunteers. It's about liability insurance for volunteers. As we see these divisions between the third party and the government, this is really a resolution — and probably the member from Northumberland agrees with me — that's meant to bring people together. It isn't about silly partisan politics which demean us all, especially in private members' hour.

I want to tell you that a place like the district of Manitoulin, basically an island — we have a little bit of territory on the mainland but mostly it's an island — 110 miles long, 50 miles wide, has a population of about 12,000 or 13,000. The largest community would probably be Wikwemikong First Nation, which has maybe 2,000 or 2,500 people in the actual village. The next one is Little Current, with about 1,400 people. These are very small communities, at least by Metropolitan Toronto standards. I defy you to go to those communities and tell them that volunteerism is not important. They have built the curling rinks, they have built the arenas, they look after the hockey teams, they look after the figure skaters, they look after raising money for the hospitals, they do the Meals on Wheels. Those volunteers — and I don't think we're unlike anybody else — really provide a service. In Espanola — the Lions Club, the Eagles, the Elks and many more — it's incredible the work and support they provide to the community.

I don't think that we do ourselves a service if we want to pit government against volunteers, the legal community against volunteers. At the very same time we have to understand that some of the things that happen at volunteer events — just because they're sponsored by a volunteer doesn't mean there can't be something bad happen. We all, at least the more northerly members of this Legislature, know about snowmobiles and snowmobile races and those kinds of events, and there can be very serious things happen. People can be injured, and certainly no volunteer organization wants to see someone injured or hurt and not be compensated in some way for what might perhaps happen because of the volunteer's negligence, because once in a while even a volunteer can do something that's negligent.

All I'm saying and suggesting to you today is that I think the member for Northumberland has it right. We have to provide more support to our volunteers in terms of trying to eliminate any legal liabilities that aren't appropriate, but we're going to have to think very hard about how we get those kinds of liability factors taken care of and at the same time protect both the public and the participants in the event from serious harm and injury.

Thank you very much for the opportunity to participate.

Mrs Julia Munro (Durham-York): It is a pleasure to rise in support of the resolution of my colleague the member for Northumberland, which directs government to recognize the important role of volunteers and to protect volunteers from exposure to liability and remove the barriers to voluntary service. I want to thank the member for Northumberland for bringing this important resolution to our attention and I want to assure him that he has my support.

In the 1995 throne speech the Premier appointed me as his parliamentary assistant to lead a government initiative aimed at promoting, encouraging, supporting and nurturing the spirit of volunteerism in Ontario. In looking at that initiative and the kinds of objectives we have in this, it's really important to look at a number of issues that have been raised this morning through the resolution and the discussions that have followed.

First of all, we recognize that volunteers play a critical role in supporting and developing the quality of life we all value in this province. I particularly was taken by the member for Ottawa East and the comments he made, because they truly express what many of us have found in our own communities, that the quality of lifestyle we value is provided largely by volunteers. Voluntary action and volunteerism are rooted in our concept of citizenship and social responsibility. It is part of our cultural heritage and it is part of the democratic tradition to take a role in civic society.

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In the initiative we look at a number of objectives, and one of the first things that came to my attention was the fact that there are barriers which inhibit decisions to assume volunteer roles, and it is to that object in the consultation process that I will speak in a moment.

One of the things that we are looking at is to create a sector for Ontarians that is safe, accessible and recognized; to provide leadership and work together with volunteers, the voluntary sector and the private sector to enhance partnerships and coordination; and finally, to provide the framework for opportunity which makes it easier for volunteers to be involved at the community level.

As a result of the recognition of these objectives, I established an advisory board to bring recommendations forward to the government and began a consultation process with volunteers across the province. We began in July with a one-day key informants' conference where we asked them to identify the challenges and the barriers to voluntary action. In September, we invited another group, 50 people, to participate in a three-day search conference. Their task was to create a vision of a desired future for

voluntary action in this province. Finally, we took those recommendations across the province, to 10 different communities, to get input and response to these recommendations from them. I await the final report of the advisory board this month.

I would just like to comment on a couple of the things that very clearly come from our consultation. It becomes very clear that it's important to promote voluntary action as the hallmark of civil society. It's also very important to provide opportunities to work together in partnerships. This is something that we see over and over again in all of our communities where people are working together. Some of the members have raised examples in their own communities.

Yesterday I had the opportunity to join with the celebration of the creation of the Web site page for the Kids Help Phone and Bell On-line. Here is an outstanding example of the kind of cooperation between a private sector venture and a community venture.

We also are looking at how we can sustain and shape the capacity of the voluntary sector. People want to make their communities a better place to live, and it is incumbent upon the government to help that. In that way we look at a number of government initiatives. The member for Dufferin-Peel referred to the Ministry of the Attorney General's Bill 79. We also have a number of other examples, such as the linkages program through the Ministry of Citizenship, Culture and Recreation.

The government continues to support hundreds of volunteers throughout the province through its ministries, and so I'm pleased to be able to stand in support of this resolution.

Mr Bill Grimmer (Muskoka-Georgian Bay): I'm pleased to have the opportunity to speak in support of this resolution today. I want to say at the outset that I appreciate the comments from the other speakers, including the member for Sault Ste Marie, who is always sincere in his comments, but I want to reassure the member for Sault Ste Marie that this resolution has nothing to do with the Premier's office, has nothing to do with the government generally. It has to do with the efforts of the member for Northumberland, who is far too modest to mention that he has put in 31 years as a member of a service organization. He's been a leader, on a volunteer basis, in the community he comes from.

My own experiences with this issue are as a small-town lawyer. I have had people come to my office who are thinking of starting community organizations and are very concerned about the issue of liability. In preparing for today I did some research on the American experience with respect to legislation. I was assisted in this regard by the Legislative research service, which provided me with a very good paper. In my research I discovered that many of the statutes that have been brought in in American jurisdictions resulted from a case where a baseball coach was successfully sued by a parent when one of the children on a baseball team was hit in the eye while playing in the outfield. It's kind of a strange case because I don't understand why liability would be found in that situation, but none the less it was. That has prompted a lot of organizations in the American states to approach their legislatures and ask for liability coverage, for some protection from liability.

As the member for Dufferin-Peel suggested in his talk, there seems to be a growing concern with litigation and with liability in Canada and in Ontario. I remember once, as a young lawyer, going to a seminar where a law professor from New York, who was also a leading litigation attorney in New York City, mentioned that one of the biggest drawbacks to attract investment in the business community, especially in the eastern states in the United States, was the prospect of litigation. If you are sued in the US, you are a loser immediately because of the tremendous costs of trying to defend such a suit. These are the kinds of concerns that volunteers have in Ontario and these are the kinds of concerns that we should be addressing as a government.

Some people would say that we as a government should keep our nose out of this, that we should let people have complete freedom to litigate, complete freedom to sue. I'm not sure that that preserves the kind of freedom that volunteers need to have in order to step up and volunteer and help to make our communities better places to live in.

I'd like to turn over the last minute and a half of my time to my colleague, who has some comments as well.

Mr Peter L. Preston (Brant-Haldimand): On a personal note, I raise Peruvian paso horses. Because of their attitude and because of their gait they are particularly adaptable to use by people who are mentally or physically challenged. My ranch is wide open for any of these organizations to use at any time, except my liability policy specifically excludes use of my horses by mentally or physically challenged people. There are organizations in my area that cannot take advantage of the opportunity because of the situation with liability insurance. This particular bill will change that, and I'm behind it 100%.

The Acting Speaker (Mr Bert Johnson): Further debate? The member for Northumberland has two minutes.

Mr Galt: Thanks to the many members in this House who are supporting this resolution. I would first like to explain to the member for Algoma-Manitoulin, who has concerns about returning to the 1960s, that wasn't quite my intent. What I was wanting to point out was the new direction we took in the late 1960s where government thought they could run everything. I certainly don't want to return to the 1960s, but I do want to draw the comparison whereby today, as government is required because of the debt load to start backing off on some of the services, volunteers are needed more than ever.

I think the member for Muskoka-Georgian Bay expressed it very well with the incident in the US where a child was hit with a baseball and the end result was that the coach was sued when certainly it was no fault of the coach. I'm sure the coach had the best intentions for those children. That's why he or she was there, to look after the children and give them the opportunity to play ball, and the end result was an injury. Following that, this poor coach ended up having to pay dearly for that particular incident, when it was a sport and it was quite accidental.

I'm very pleased with the member for Ottawa East making many references to volunteers and organizations in his riding, and how often the term Lions came up,

Lions Clubs International. Having been a member of the organization for some 31 years, my chest came out a little with each mention of it. But at the same time I recognize the tremendous effort put in by all the other service clubs. Certainly they all contribute tremendously to their respective communities.

Voluntary action is a hallmark of a civil society. It is deeply rooted in citizenship and social responsibility and it represents the best our society has to offer. I believe we should protect the interests of those who serve as well as those who receive volunteer services. That is why I'm asking the members of this House to support the resolution I'm putting forward today. We have had big government. We've had big business. Now we need big community. I believe this resolution will take us one step closer to achieving that goal.

FRANCHISES' ARBITRATION ACT, 1996 LOI DE 1996 SUR LES ARBITRAGES VISANT DES FRANCHISES

The Acting Speaker (Mr Bert Johnson): We will deal first with ballot item number 53, standing in the name of Mr Chiarelli. If any members are opposed to taking a vote on this at this time, would they please rise.

Mr Chiarelli has moved second reading of Bill 101.

Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

There will be a division on this and it will be held after the next order of business.

VOLUNTEERS

The Acting Speaker (Mr Bert Johnson): We'll now deal with ballot item number 54, standing in the name of Mr Galt. If there are any members opposed to taking a vote on this now, would they please rise.

Mr Galt has moved resolution number 33.

Is it the wish of the House that the resolution carry?
Carried.

There will be a five-minute bell calling in the members.

The division bells rang from 1202 to 1207.

FRANCHISES' ARBITRATION ACT, 1996 LOI DE 1996 SUR LES ARBITRAGES VISANT DES FRANCHISES

The Acting Speaker (Mr Bert Johnson): Mr Chiarelli has moved second reading of Bill 101, An Act to provide for the Arbitration of certain Disputes relating to Franchises.

All those in favour will please rise and remain standing until named by the Clerk.

Ayes

Arnott, Ted	Crozier, Bruce	Martin, Tony
Baird, John R.	Galt, Doug	Morin, Gilles E.
Bartolucci, Rick	Grandmaître, Bernard	Murdoch, Bill
Boushy, Dave	Gravelle, Michael	Phillips, Gerry

Boyd, Marion	Guzzo, Garry J.	Ramsay, David
Bradley, James J.	Jordan, W. Leo	Rollins, E.J. Douglas
Brown, Michael A.	Kells, Morley	Ruprecht, Tony
Caplan, Elinor	Kennedy, Gerard	Sergio, Mario
Chiarelli, Robert	Kwinter, Monte	Shea, Derwyn
Christopherson, David	Lalonde, Jean-Marc	Wildman, Bud
Churley, Marilyn	Lankin, Frances	
Colle, Mike	Laughren, Floyd	

The Acting Speaker: All those opposed will please rise and remain standing until named by the Clerk.

Nays

Barrett, Toby	Grimmett, Bill	Parker, John L.
Carroll, Jack	Hastings, John	Sheehan, Frank
Doyle, Ed	Hudak, Tim	Smith, Bruce
Fisher, Barbara	Johnson, Ron	Tilson, David
Flaherty, Jim	Leadston, Gary L.	Wettlaufer, Wayne
Ford, Douglas B.	Martiniuk, Gerry	Wood, Bob
Froese, Tom	O'Toole, John	Young, Terence H.

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 34, the nays are 21.

The Acting Speaker: I declare the motion carried.

Pursuant to standing order number 96(k), the bill is referred to the committee of the whole House.

Mr Robert Chiarelli (Ottawa West): I move that Bill 101 be referred to the standing committee on administration of justice.

The Acting Speaker: Is it agreed? It is not agreed.

All those in favour will please rise. Thank you. A majority being in favour, this bill stands referred to the standing committee on administration of justice.

It being after 12, this House stands adjourned until 1:30 of the clock.

The House recessed from 1211 to 1331.

MEMBERS' STATEMENTS

TRANSIT SERVICE FOR THE DISABLED

Mr Mario Sergio (Yorkview): One of the most cherished things for senior citizens and the physically challenged in Ontario is mobility. The service currently provided to many people in Metropolitan Toronto by Wheel-Trans is truly invaluable. However, it is becoming increasingly obvious that the government continues to abandon the most needy and vulnerable citizens in our society.

I have another illustration of the fallout from the government's mean-spirited policies: a senior citizen from my riding of Yorkview, Mrs Ellen Bloom, who has undergone double hip replacement surgery and required the services of Wheel-Trans to attend her doctor's appointments and other essential trips. Her claim to Wheel-Trans is supported by her doctor, and yet she has been notified by Wheel-Trans that she does not meet the eligibility requirements for their accessible transit service.

I call upon the Premier and his government to cease this headlong assault on the senior citizens and severely physically challenged. If we are not to provide the most

rudimentary services to those in need in this province, then what hope is there for our society?

Premier, I ask that you think again about the policy you are pursuing. They are not just numbers on a page. They are our neighbours, our friends and our families.

BANKRUPTCIES IN NORTHERN ONTARIO

Mr Len Wood (Cochrane North): Today my statement is on the bankruptcies in Ontario, and especially in northern Ontario. It's directed at the Minister of Northern Development and Mines and Premier Mike Harris.

Yesterday the Premier said, "Consumer confidence in Ontario has risen by 19.3% this year." But Ontario does not stop at the French River. Here are some of the results of the Common Sense Revolution in northern Ontario, and these numbers don't tell lies. In Cochrane, for example, the consumer bankruptcy rate went up 115.38%; in west Sault Ste Marie, 127.7%; in Timmins, 75%; in Kirkland Lake, 93.3%. This is the feedback we're getting from what is happening throughout northern Ontario. I'm wondering, and a lot of people in northern Ontario are wondering, is this what the Common Sense Revolution meant when Mike Harris was out campaigning in 1995 for a majority government here?

We see all kinds of figures: the city of Sudbury, a 49.7% increase. This is in a seven-month period. The area around Sudbury, a 41.72% increase. In the Tri-town area it's going up on a steady basis, 25%. In North Bay — this is the home of the Premier — bankruptcies have gone up over 21% in the last seven months. As I said earlier, Timmins has gone up.

If this is what the Common Sense Revolution means to northern Ontario, we don't want it.

SARNIA ECONOMY

Mr Dave Boushy (Sarnia): I am happy to update this assembly on some of the progressive changes happening in Sarnia. The riding I'm honoured to represent is well on its way to becoming a major point of attraction for American dollars.

The twinning of the International Blue Water Bridge, just completed, has positioned Sarnia, southwestern Ontario, and Ontario as a whole as a larger welcoming gateway to American visitors by making access quicker and easier.

The International Blue Water Bridge in my riding is already one of the main car and truck passageways to the US and links Highway 402 in my riding to Interstates 69 and 94 in Michigan. By the year 2000, the volume of traffic using the bridge is expected to increase by 50%, amounting to 7.5 million vehicles per year.

Thanks to a healthy economic climate created by this government, existing business can expand to accommodate our American friends and their dollars. For example, this nation's largest Canadian Tire store, occupying 130,000 square feet, opened its doors just as the twinning of the bridge was completed. Canadian Tire is using a unique and aggressive strategy of targeting American cross-border shoppers.

PUBLIC SECTOR LAYOFFS

Mr David Ramsay (Timiskaming): It's very sad, as we move towards Christmas, that the Mike Harris government is certainly the Grinch that stole Christmas. As part of the 720 Ministry of Transportation of Ontario job cuts across the province, 23 more jobs were cut in New Liskeard after a series of cuts this year.

I would just say to this government that however and whenever you're doing your restructuring, much of which we disagree with, basic human resource management would tell you that a couple of weeks before Christmas is not the time to lay off 720 people across this province.

In all our towns, in all our communities that have depended upon government opportunities for employment, much of that in northern Ontario, our towns are being ravished by the Harris government cuts. Their depth and speed are very much hurting our communities. The people, the leaders in our communities, their heads are rolling by what is happening with this juggernaut that's been let loose by the Harris government.

I would ask that the Harris government get some sense and get some real common sense back into their heads and stop these job cuts across this province, and certainly stop the ill-advised timing of them, just before Christmas when families are trying to put some money together to have a bit of holiday time. The present that you give them is: "You're out of work. Go try to find something in Harris Ontario."

EDUCATION REFORM

Mr Bud Wildman (Algoma): I heard recently that the American consumer advocate Ralph Nader made a statement in Vancouver that Canada's new national coast-to-coast pastime is fixing things that aren't broken.

This reminded me of the Ministry of Education and Training, which has sent out a request for research to Dr Allen Pearson, dean of education at the University of Western Ontario. Dr Pearson is the head of the Ontario Association of Deans of Education, which acts as a funnel for this type of request.

The letter is a request for research; that is, a series of papers that would be reviews of literature on secondary school reform and best practices in other jurisdictions. The purpose of this request is to get information to be used for further discussion and dialogue.

As David Moll, the chair of the Toronto Board of Education, has said, the government has it all backwards. They've already stated the changes they want to make and now it seems they're checking with the academics to see if it makes sense.

This is a complete disaster. The government has alienated everyone in the education community: trustees, educational administrators, teachers, students and parents. The government has made up its mind and now has decided to find out if there are any facts that back up the position it has taken.

HANUKKAH

Mr David Turnbull (York Mills): It is my privilege to call to the attention of all members in the House that

tonight marks the beginning of the eight-day feast of Hanukkah.

Hanukkah commemorates the historic events during the time of the Maccabees, who were freedom fighters against foreign oppression. Their successful fight won back the city of Jerusalem, where Jewish religious life was restored in accordance with Mosaic law. The ever-burning lamp of the Presence, with only enough oil to last one day, burned steadily for the eight days it took to find more oil. This is the miracle of light that is commemorated during Hanukkah with a nine-candle menorah. On each night of the Hanukkah festival, Jewish families gather together to share togetherness, readings and prayers and to light one of the menorah candles on eight successive nights.

On behalf of the Ontario government, I would like to take this opportunity to wish the Canadian Jewish community of Ontario a very happy Hanukkah celebration. Because this holiday commemorates the priceless gift of freedom given to the Jews by God through his zealous servants the Maccabees, it is a holiday with great relevance for all Canadians who live in a land that is likewise so richly blessed with this gift. Shalom.

1340

INJURED WORKERS

Mr Dominic Agostino (Hamilton East): I have received in my office dozens of calls from injured workers in my riding concerned about the draconian cuts and legislation this government is planning to introduce.

Workers in my riding who are injured, who have gone to work in the morning hoping to come home in one piece, and unfortunately an industrial accident has hindered that, are now facing the attack of this government.

This government believes that injured workers are making too much money. This government believes that, "Injured workers choose to be there, so we're going to punish them." This government believes that you have to cut their benefits by 5%, because this government believes that injured workers want to stay on WCB because they're making too much money.

That is the mentality that is driving these cuts: "We're going to de-index their pensions. Injured workers are too wealthy. The injured worker who is 55 or 60 years old is making too much money and the pension they're receiving as a result of their chronic disability, such as a back injury, an arm injury and many other problems they suffer, is much too generous." That is the mentality of this cutting.

I think it's an absolute disgrace when this government, in order to take care of its corporate friends, decides its going to attack the most vulnerable people in our society. They're going to attack hardworking men and women in this province who as a result of going to work and trying to make a living for their families have suffered an injury. I think this government should be ashamed of itself.

I challenge members of this government to see injured workers in their own ridings. Look them in the eye. Tell them why you're cutting their benefits and tell them why you're taking food away from their tables and their children.

WATER SUPPLY

Mr Floyd Laughren (Nickel Belt): I wanted to make a couple of comments about this government seeming to be hell-bent to privatize one of the most precious resources in this province, namely, our water.

The Minister of Environment, in his typical fashion, tries to be cute by half when he talks about not privatizing as much as simply turning it over to the rightful owners, the municipalities of this province, while he's the one who's mused very publicly about privatizing OCWA, the Ontario Clean Water Agency.

When this has been done elsewhere, it's been a disaster. In the UK they privatized the water supply. Guess what? Rates went up by as much as 62%. The worst polluters of the rivers in the UK now are the privatized water companies. Of course, the salaries of the executives in those water companies went right through the roof.

Here we are in Ontario seemingly determined to go down that same road, which to me makes no sense whatsoever. I know this government has a fetish for privatization, but when it comes to clean water, we have no interest in pursuing that route.

I can say to the Minister of Environment that if he's determined to do this, then he'd better be prepared to take the heat, because people in this province will not tolerate having our water supply turned over to the private sector.

WOMEN IN RURAL
ECONOMIC DEVELOPMENT

Mr Bert Johnson (Perth): I rise in the House today to offer my congratulations to a group of people in my riding who are making Ontario a better place. I'm talking about the non-profit organization Women in Rural Economic Development, WRED, which has its head office in Stratford, in Perth county.

WRED is a provincial non-profit organization dedicated to providing rural women with increased participation in rural economic development. This is accomplished through the successful execution of business development training, networking programs and access to capital.

This organization was founded just three years ago and presently has a membership base of over 500 people. Although newly formed, they have already successfully provided business development assistance to over 300 women. As a matter of fact, due to their efforts, there are now over 220 new businesses operating in rural Ontario.

As well, this group is now looking towards developing a rural economic strategy across Canada as well as in Ontario, which will improve the quality of life more in rural areas.

This is an excellent example of how the people of Perth work together to provide within their communities and across the province. It is also evidence that Ontario can be prosperous without government intervention.

Once again, it's my pleasure to stand in the House today and applaud yet another example of how the people of the great riding of Perth are working together to improve Ontario.

STATEMENTS BY THE MINISTRY
AND RESPONSES

HOSPITAL FINANCING

Hon Jim Wilson (Minister of Health): I rise today to demonstrate this government's commitment to quality health care in Ontario. I'm pleased to announce to the members of this House that the provincial government's share of capital financing for hospital restructuring projects approved by the Health Services Restructuring Commission will increase from 50% to the unprecedented level of 70% funding.

We have listened to the people of Ontario, to hospitals and to the Ontario Hospital Association. We recognize the need for special capital help to effectively restructure hospitals. That is why the ministry is changing its spending formula to provide a greater share for restructuring capital projects.

Just yesterday, I was in Thunder Bay to announce the province's commitment of \$59.4 million in capital funds to help Thunder Bay and northwestern Ontario improve its local health care system, and I look forward to assisting other communities through the same process.

Let me emphasize that the Mike Harris government is adhering to our campaign commitment that health care funding will not fall below \$17.4 billion. Not only have we met our campaign commitment, but we are actually spending \$300 million more than that this year. This is no small miracle in light of federal funding cuts of \$2.1 billion to Ontario's health and social transfers. The only people cutting health care dollars in Ontario are the federal Liberals, Jean Chrétien and Paul Martin, plain and simple.

The Mike Harris government is not cutting health care dollars. We are changing how health care dollars are spent. We are making these changes now so that the people of Ontario will have a health care system that will meet their needs in the future. We are reinvesting savings in direct patient care and front-line services. Without these changes, our system will not be able to provide the modern, advanced care Ontarians deserve as we move into the 21st century.

We want a truly integrated health care system that delivers the right care, at the right time, in the right place. We are bringing health care to patients in their homes and in their communities. This is the way care should be provided. We are guided in our efforts by our vision of the future of health care in Ontario, putting patients first. Our goal is to provide quality care at an affordable price.

Picture our system as a wheel. On the rim are the major components: hospitals, nurses, physician offices, pharmacies, laboratories, long-term-care providers and mental health agencies. In the centre is the patient, the focus of all our efforts. The spokes? Well, the spokes are information systems. Information systems will coordinate all of the parts.

Last November the Minister of Finance announced that we would commence the shift of dollars from our hospital sector into community-based care. In 1996-97 that shift was \$360 million, or 5% of hospital budgets; in

the next year, \$435 million, or 6%; and \$507 million, or 7%, in 1998-99.

I want to emphasize that caring for patients in the community as restructuring occurs is indeed our priority. Earlier this year I announced a reinvestment of \$170 million into community-based care services such as home care. This is the largest single reinvestment in health care in Ontario. Communities across the province are already benefitting from this. In addition, this government committed \$23.5 million to the community investment fund for mental health services in the community.

The key to achieving the savings in the hospital sector for reinvestment in greater health care services is the largest health services restructuring and re-engineering effort in North America. Through the hard work of Dr Duncan Sinclair and the Health Services Restructuring Commission, we will achieve this change in a way that ensures we never lose sight of the needs of patients.

That is why today's announcement is so important. Communities need to know that the government will be there to support them as they work to improve their local health care systems. Today we are telling the people of the province that we will be there to help and we will continue to reinvest in their good health.

Let me emphasize that this does not mean a return to the emphasis on bricks and mortar of former Liberal and NDP governments. It is yet another commitment on behalf of this government to move towards a fully integrated, easier to use health care system, a system which puts patients first and provides the health care that the people of Ontario deserve and need.

1350

Hon Dianne Cunningham (Minister of Intergovernmental Affairs, minister responsible for women's issues): Mr Speaker, we have an agreement among all parties to make a statement on tomorrow's national day of remembrance with regard to violence against women. I'm wondering if it's appropriate to do that now or after the responses. I think it would be appropriate after the responses, since we will have a moment of silence.

Mrs Elinor Caplan (Oriole): I rise today to respond to the unbelievably bad statement by this Minister of Health. He stumbled through it because, frankly, in response to direct questions from Robert Fisher during the leaders' debate on whether or not Mike Harris's promise to protect health care meant that he would not close hospitals, Mike Harris answered, "Well, certainly I can guarantee you that it's not my plan to close hospitals."

Today, the minister stands in his place and is telling communities that they are going to have to spend 30% of the capital cost to close their hospitals. That's what this is about.

The second thing that Mike Harris and Jim Wilson do in their response to questions is answer, as the minister did today, by trying to blame the federal government. I want to remind him of two things: First, their Common Sense Revolution document had a big banner across it that said the "Post-Martin Budget" CSR, and they assured everyone that they had taken it all into account and none of their policies were going to be guided by any of the concerns they might or might not have, and in fact Mike Harris said he supported Mr Martin and what he was

doing. This is the quote from Mike Harris. He said, "The restructuring of federal transfer payments does not affect the Harris commitment to protecting Ontario's health care system, which is a top spending priority."

What have we heard from this Premier? What was his commitment? (1) He had no plan to close hospitals; and (2) he felt that the federal government's transfer plans would not in any way affect what he's doing. What do we hear from the minister today? What we hear from the minister today is gobbledegook. This minister arbitrarily cut all capital funding to 50%. Today he stands in his place and says: "Whoops, we made a mistake. We're going to take it up to 70%."

The only thing that is unprecedented about his 70% announcement is the fact that he shamefully has to admit his error in this House. What is unprecedented is his hospital closing commission with unprecedented powers to go into communities and force them to close their hospitals. About his commitment to an integrated delivery system, everything that he is doing is creating a barrier to getting there. His approach to primary care, his approach to long-term care, his approach to mental health reform, all of those are just creating new silos and making it impossible.

But the thing that is making it most impossible and the thing that is worrying, and rightly worrying, communities and people across this province is his \$1.3-billion cut to the hospital budgets of this province. He can stand in his place and day after day say he's not cutting, but the truth is, he is cutting \$1.3 billion from the hospital budgets, and that is the infrastructure that people in our communities depend on to take care of them when they are sick and they need surgeries. When they need help, they want their hospitals to be there for them, and this minister stands in his place.

He has cut the capital budget of the Ministry of Health to an unprecedented low; it is an unprecedented \$167 million. The question I would ask him as he stands in his place is, how can he possibly —

Interjections.

The Speaker (Hon Chris Stockwell): Order. Stop the clock.

Interjections.

The Speaker: Minister of Health, come to order, please. Member for St Catharines.

Interjections.

The Speaker: Folks. Member for Oriole.

Mrs Caplan: This minister cannot possibly fund the capital that is required in the \$167-million budget allotment for the Ministry of Health. That is an unprecedented low. That is another cut that he has made.

Today's announcement is spin; it is spin from a minister whose reputation as a minister is that of a bully who makes arbitrary decisions, who has not taken the health and the health care needs of the province of Ontario seriously, who has done everything he can to undermine relations with those who make the system work.

This is typical of the former Mulroney staffer that he is. I say to him, you're not going to get away with closing hospitals, and you are not going to get away with cutting \$1.3 billion out of their budgets. You are not

going to get away with making the people of this province so angry and expect that they will ever support you and your government ever again. You, sir, are a disgrace and a disaster as a Minister of Health.

The Speaker: The member for Windsor-Riverside.

Mr David S. Cooke (Windsor-Riverside): We certainly —

Interjections.

The Speaker: Stop the clock.

Interjections.

The Speaker: Okay, and Merry Christmas, one and all. Okay? We're all done. You can seek unanimous consent if you want to continue. If not, you're going to just have to take that one outside. The member for Windsor-Riverside.

Mr Cooke: I think the two of them deserve one another.

On the one issue that the minister has announced today, I certainly, and our caucus, agree with the minister's decision to go to 70%. We only wish he had announced this when the restructuring process began, because so many communities have been so concerned about whether any of the plans make any sense because of the 50% that he had announced before and the impossibility of any community being able to raise that kind of capital funds.

When I heard the minister's incredibly political statement a few minutes ago, and especially when he was whining at length about the federal government, I had to think back. I thought what we used to always hear was, "There's not a revenue problem; it's a spending problem," and that, "No one should whine about federal government cutbacks." How the Tories have now begun to learn that it's much more difficult, it's much more complicated than their simplistic approach to everything from health care to education to economic issues. Everything that they are now confronting they know is a little more complicated than going to polls and determining what to be said in an election campaign.

The real issue here today, as the real issue yesterday in Thunder Bay, is that now that part of the capital question has been answered, what about the community supports? What about the agencies that are going to provide services in our communities so that if there are hospitals to be closed and beds to be closed, people will not fall through the cracks when they need health care? The fact of the matter is, the minister is deliberately avoiding that question because of the Crombie Who Does What report that's about to come down.

We know that the minister refuses to say here in this place that there is going to be a maintenance of all community funding, whether it's community health centres, whether it's long-term care, that that's going to remain at the provincial level. We know that there is active consideration to having those issues all devolve down to the municipalities. If that happens, we know that Duncan Sinclair has said very clearly that there will be no integrated health care system, that the whole thing will fall apart.

Minister, you've got to give a vision in this place that is backed up with reality. If you're going to devolve all those services to municipalities, there's going to be a major problem. It won't work. It will be a disaster, not

just for you politically, but it'll be a disaster for people who need health care in this province.

I will finish by saying that there is no plan that this government has put together. Let's take a look at the record: They're at war with the doctors, they're at war with the nurses, they're at war with communities where the restructuring is taking place. What a mess we've got in this province with health care.

1400

Mr Howard Hampton (Rainy River): I cannot let the statement the Minister of Health made today pass without reminding him of a few things. We understand that the federal Liberal government is cutting Ontario's health and education by \$2.1 billion. We understand that, that the federal Liberals are being unfair. We knew that when we were the government. But, Minister, your party said you had all the answers, that the answers were all to be found in the Common Sense Revolution, the answers were all to be found in cutting spending.

So what have you done? You've closed hospitals in Thunder Bay. You went up there yesterday and you tried to promise them some money, but they know, because they've done their homework, that the money you promised is completely inadequate and will eventually lead to an inadequate hospital facility for Thunder Bay and the region. That's why they booed you out of town.

They've also done their work in terms of a reinvestment in community programs. They know you are not providing the money needed to move those patients out of the hospitals and into community care. They know that at the end of the day, when you add up all the numbers, you are about health care cuts — not about health care change, not about a progressive health care agenda; you are about health care cuts.

DAY OF REMEMBRANCE AND ACTION ON VIOLENCE AGAINST WOMEN

The Speaker (Hon Chris Stockwell): The minister responsible for women's issues is seeking consent for — agreed? The member for Oriole.

Mrs Elinor Caplan (Oriole): In order to allow the minister to go last and ask for a moment of silence, I'll begin.

Geneviève Bergeron, Hélène Colgan, Nathalie Croteau, Barbara Daigneault, Anne-Marie Edward, Maud Havier-nick, Barbara Maria Klucznik, Maryse Laganière, Maryse Leclair, Anne-Marie Lemay, Sonia Pelletier, Michèle Richard, Annie St-Arneault, Annie Turcotte.

Seven years ago, the eyes of the world focused on Montreal. People will remember December 6 as the day 14 young women were murdered as they attended classes at L'École polytechnique. Seven years later, it is difficult to understand the hate and the violence that led to their needless deaths.

Although we as a society believe we have made some progress recognizing violence against women, the problem still exists. Last month, the Ontario Association of Interval and Transition Houses released their report entitled *Locked In, Left Out*. The report detailed cases of 29 women who have died at the hands of their partners since June 1995. Clearly, the problem of violence against women still exists.

I'd like to quote part of the editorial from the *Montreal Gazette* of December 1989.

"The grieving is mingled with a profound and disabling sense of helplessness. It is hard to believe what happened at the university's engineering school on Wednesday and impossible to explain. About all we can do is bow our heads in pain, anguish and incomprehension."

Tomorrow is the national Day of Remembrance and Action on Violence against Women. I hope that the women we remember today and tomorrow did not die in vain and that next year we have no new women to add to the list of those who have been lost to needless, senseless violence.

Ms Marilyn Churley (Riverdale): Today I stand in remembrance of 14 precious, bright young women who were murdered seven years ago tomorrow. These 14 women were executed because the gunman saw them as a threat, the object of his rage. Many still debate whether this was a random act committed by a disturbed individual or whether this speaks to a deeper problem, a problem in society's collective attitude towards women. But let's remember exactly what happened that night, because we must never forget. We must never forget either the event and the details of the event.

The killer separated the men from the women, then he shot the women, and he acknowledged his motive: He shot the women because to him they represented objects of his rage. He saw them as feminists who were infringing on his territory. In daring to be studying engineering, traditionally a male profession, these women had gone too far, in his view. For taking a class, they were executed by an angry gunman.

We all have a responsibility in this. We have a responsibility to the women who were murdered and to all the women who remain and to our daughters. We need to confront one another with our attitudes and we need to teach our children. We need to ensure that events like the one in Montreal on December 6, 1989, are never forgotten and never repeated. To do this, we need to root out both violence and the attitudes that allow women to be second-class citizens, attitudes that cause women to be victims in society, rather than equal participants. Government has a role of paramount importance. If nothing else, we need to learn from this tragic event.

Today we are remembering the women who were shot, but it is necessary to point out that violence against women is an all too common occurrence in our society. Over the past year, 29 women in Ontario died at the hands of abusive spouses, and countless others were severely injured.

I would like to read a small portion of the mission statement of the White Ribbon Campaign that describes violence against women:

"If it were between countries, we'd call it a war. If it were a disease, we'd call it an epidemic. If it were an oil spill, we'd call it a disaster."

Violence against women in our society is all of those things. I would urge all of the men in the Legislature, whatever your political beliefs are, to get involved in the White Ribbon Campaign and be part of the group of more and more men who are coming together to speak in

a voice with women and say that violence against women is unacceptable in our society.

Tomorrow I will be doing what I do every year on December 6. This year, seven years after that tragic, unbearable day of horror, I will be once again attending a candlelight vigil to remember the 14 young women who were gunned down. I urge all members of the House to find such a remembrance ceremony in their community and attend, because as painful as it is, as difficult as it is, I want to remember. We must remember. We must never forget.

I know that when I go to that ceremony, 14 women and men hold a rose, each of us, a rose that represents a name of a real young woman. Afterwards, we all file up and we put that rose in a vase, 14 of them together, and we look, at the end, at these 14 red roses in a vase and we know that those roses represent real young women who died at the hands of a gunman because they dared to study. Those of us who have daughters, as I do, of that age we cannot help but see and understand in hearing the names of these young women the promise that has been struck dead.

It's important that we remember these young women as real people and that we work together as government, as a society, in our communities to make sure that violence against women is put to a stop.

1410

Hon Dianne Cunningham (Minister of Intergovernmental Affairs, minister responsible for women's issues): Tomorrow it will be seven years since the tragedy that has come to be known across our country as the Montreal massacre. Today we remember the 14 young women, students at l'École polytechnique, in the prime of their lives who were robbed of their futures in a horrifying act of violence.

As we mourn the loss of 14 young women we must also remember the women among us who continue to be beaten, abused, stalked and killed in our province and across this country. But just as December 6 has become a day of remembrance and reflection on the issue of violence against women, this day should also be a rallying point encouraging us to focus our energies on finding solutions.

Governments across this country continue to work together with families, communities and each other to find more effective ways to address the issue of violence against women. We must all reach out to victims of violence and work towards preventing violence wherever and whenever we can. Our goal must be to stop the violence and the threat of violence against women. We must work together for a society in which violence has no place, in which all citizens will speak out and act against it.

We are all committed to achieving safe communities and preventing violence against women. Every year at this time we remember with sadness those 14 young women:

Geneviève Bergeron, Hélène Colgan, Nathalie Croteau, Barbara Daigneault, Anne-Marie Edward, Maud Havier-nick, Barbara Maria Klucznik, Maryse Langanère, Maryse Leclair, Anne-Marie Lemay, Sonia Pelletier, Michèle Richard, Annie St-Arneault, Annie Turcotte.

But as we remember these young women, their families and their loved ones we must remember to ensure that this tragedy will never be repeated.

At this time I would ask my colleagues to rise and observe a moment of silence in remembrance of the young lives so tragically lost.

The House observed a moment's silence.

ORAL QUESTIONS

HOSPITAL FINANCING

Mr Dalton McGuinty (Leader of the Opposition): My question is for the Minister of Health. Today we are somewhat pleased to see that you finally admitted what we've been telling you all along: that your cuts to capital funding to hospitals were far too deep. It's about time you issued a "Reverse engines" order.

Having recognized that your cuts to hospital construction went way too far, will you now recognize that your \$1.3-billion cut to hospital operating budgets has also gone too far and is jeopardizing patient care?

Hon Jim Wilson (Minister of Health): I say to the honourable member and all members in the House that today's announcement is good news in showing the government's support for the restructuring of the hospital system which is long overdue in this province. Every party in this House is on record as having agreed with that, at least over the past few months. Some days you never know, though.

Also, I remind the public and hospitals that the 50% rule still applies for all non-restructuring capital projects. The 70% rule is for those hospitals that are undergoing restructuring, and the restructuring capital projects are approved by the commission.

All members at one time agreed that there's a need to get on with restructuring. The Ontario Hospital Association, just four weeks ago, reminded all legislators that they would like to see us redouble our efforts and actually go faster than what's been done to date, and this 70% announcement should help to facilitate the proper restructuring of our hospital system.

Mr McGuinty: I want to remind the minister of something he didn't mention in his statement today: that on top of this year's huge cuts to hospitals, which have already resulted in thousands of nursing layoffs, you plan to cut hospitals by an additional \$1 billion, that's 1,000 million dollars.

Hospitals can barely cope with the cuts you've already implemented. Your cuts are being felt where it counts most: in patient care, in any objective sense. Minister, given your promise in the last election not to cut health care and given the pain your cuts are already causing, how can you possibly justify cutting an additional \$1 billion from our hospitals?

Hon Mr Wilson: We've not cut one penny from health care in this province. Everyone can go to their local library, look up the budget of the government of Ontario, and lo and behold, you will discover that the budget is up \$300 million. It's an unprecedented amount of money to spend on health care.

When you take the \$17.7 billion being spent on health care by the provincial government and the approximately \$9.2 billion being spent by workers' compensation, employee benefit plans and third-party insurers, the private sector health care, and add those two together, you won't find a jurisdiction on the face of the earth spending, on a per capita basis, more money on health care than Ontario.

I don't know where the member gets the premise for his questions, because again the member is wrong. The health care budget has increased in this province.

Mr McGuinty: It might be helpful to remind the minister of the record to date of this government and compare the promises made with what's been delivered.

During the leader's debate Mike Harris said, and I quote: "Certainly I can guarantee you that it's not my plan to close hospitals." Now more than 30 are on the chopping block. During the last election he specifically stated that federal transfers would not affect his commitment to protect health care. Now he refuses to take responsibility for the cuts. The Common Sense Revolution said you would not bring in new user fees. Now you're punishing seniors with new user fees on medication.

Minister, will you not admit that your plan to cut an additional \$1 billion from hospitals fits the pattern perfectly? When it comes to health care, Mike Harris can't keep his word.

Hon Mr Wilson: The Premier is fully keeping his word. The previous two governments launched 60 hospital restructuring studies across the province at a cost of \$26 million. Local —

Mrs Elinor Caplan (Oriole): "I have no plans to close hospitals. I assure you I have no plan."

Interjections.

The Speaker (Hon Chris Stockwell): Order. The member for Ottawa-Rideau, please come to order. The member for Oriole as well. Now, if you want to keep heckling, we're going to waste time.

Hon Mr Wilson: Local communities, through local studies they've produced over the past few years under the previous two governments, are asking this government to make their local health care systems better, get rid of the half-empty buildings and get all services on to fewer sites so that we can have full-service hospitals once again, as we used to have 20 years ago in this province.

Nine thousand hospital beds have been closed over the last seven years in this province, the equivalent of 33 mid-sized hospitals, but all the administration and all the bricks and mortar are still there. All we're doing is acting on studies that have been developed by local communities and paid for by the taxpayers.

The Speaker: New question.

Mr McGuinty: You can't get around it. Mike Harris promised not to close any hospitals.

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SENIOR CITIZENS

Mr Dalton McGuinty (Leader of the Opposition): My question is to the minister responsible for seniors' issues. A report entitled *Growing Old in Canada* reveals

something I'm sure all of us in this House would agree is a deplorable and completely unacceptable situation. Over 40% of women over the age of 75 live alone and in poverty. This should be of grave concern to all of us because we share a very important responsibility to speak on behalf of our most vulnerable citizens.

Some of Ontario's elderly and poor women are watching us right now, and I'm sure some of them are cold, some of them are hungry and many of them would be frightened. So I want to ask on their behalf, Minister, what are you doing right now to help them?

Hon Cameron Jackson (Minister without Portfolio [Seniors Issues]): I want to thank the honourable member for raising the question and the report from Statistics Canada done on poverty all across Canada. These statistics were done in 1991 and they have served to bring to public attention the concerns of the elderly in this country. I am pleased to be given the opportunity to report on the kinds of programs which this government has implemented.

The member will know quite frankly that when long-term care was discussed by members of your party for five years and studied, and when the next government for five years studied and almost got to implementation, it was a number one priority for the Mike Harris government and it was one of the first pieces of legislation for our Minister of Health to invest \$170 million into long-term-care support programs.

Our Minister of Finance and our Premier realize that when those two political parties raised income taxes in this province seven times, they reduced the disposable income of seniors. When women in this province who are at or below poverty —

The Speaker (Hon Chris Stockwell): Thank you, Minister. Supplementary.

Mr McGuinty: Minister, that old-style, partisan finger-pointing lends no comfort whatsoever to those women who are watching you on TV right now, none whatsoever.

Let's set the record straight here. In terms of what you've done, it's not what you've done for seniors; it's what you've done to them. So far you've brought in user fees for seniors' medication. You've cut funding for accessible transit. You've imposed a freeze on new nursing home beds, while charging \$40 a day for chronically ill seniors in hospital. Now you're gutting rent controls. You're forcing seniors to choose between eating, taking medication or paying the rent. Minister, you've got the title. When are you going to start taking responsibility for seniors?

Hon Mr Jackson: I would hope that the member opposite wouldn't confuse partisanship with the truth and the reality of what is really going on in terms of public policy development in this province.

The truth is that this government has moved decisively to invest moneys and bring those services directly to our seniors. The \$20 million put into — we're the first government in all of Canada to include the pneumonia immunization program in its drug benefit plan so that seniors did not have to pay for this immunization process. We're the first government in Canada to do that.

There are several programs. We've got a Minister of Citizenship, Culture and Recreation who has just recently announced millions of dollars in programs for vulnerable adults, in particular seniors. Our investment in long-term care is one of the most massive investments, over \$1 billion, and 170 million new dollars have gone to provide services for those vulnerable seniors, programs that your government had the opportunity to implement and this government is doing something about.

My colleague the Minister of Municipal Affairs and Housing: the first piece of rent review legislation in this province's history which specifically looks at individuals as renters and seniors' protection.

Mr McGuinty: It's obvious that for this government, senior citizens are a very easy target. To me, they're our parents and our grandparents. They helped build this province and the quality of life we've come to enjoy, and they deserve to be protected and respected.

Minister, your government flaunts its \$12-billion tax cut. Well, poor seniors aren't getting a tax cut. You can't get a tax cut if you're not paying taxes. In fact, they're the biggest losers in your tax scheme because their services are being cut to pay for that tax cut. Your Common Sense Revolution specifically stated, "Aid for seniors will not be cut." I want you to look into those cameras again and I want you to tell those seniors that you are very sorry because you broke a critical campaign promise.

Hon Mr Jackson: I want to remind the member opposite, who recently came through an experience at Maple Leaf Gardens where he was surrounded by federal members of Parliament who were quick to give him advice on all manner of things, that the only person targeting seniors in this country today is our federal government. You want to ask some solid questions about what's on the table for the Canada pension plan, where women disproportionately will be adversely affected by —

Interjections.

The Speaker: Order. Minister.

Hon Mr Jackson: The only Premier in all of Canada who has put one person solely responsible for seniors' issues, the only Premier in this country who's done that is Mike Harris. I'll tell you what the problem with this country and this federal government is. You want to move beyond your cue-card compassion which you've been exhibiting all week in this House and pick up a telephone and call Ottawa and ask why we're \$2 billion short for seniors, why the OAS and CPP are unavailable to thousands of new Canadians in this country —

Interjections.

The Speaker: Minister, come to order, please.

PROTECTION OF JOBS

Mr Howard Hampton (Rainy River): My question is for the Minister of Economic Development, Trade and Tourism. It's a question about Canadian Airlines. The minister knows that Canadian Airlines pumps \$1 billion into Ontario's economy each year, most of it into the greater Toronto area, and he knows that Canadian Airlines sustains 4,000 direct and 2,000 indirect jobs in Ontario. Right now the workers at Canadian Airlines, the federal government, the British Columbia government and

the Alberta government are all trying to work out an agreement to financially reposition Canadian Airlines.

Minister, can you tell us why the Ontario government isn't at the table trying to sustain those 6,000 jobs and trying to sustain the \$1 billion in economic activity for the Ontario economy?

Hon William Saunderson (Minister of Economic Development, Trade and Tourism): I'm very happy to respond to the leader of the third party's question about an issue that I think all of us consider very seriously in this House.

Mr Bud Wildman (Algoma): Do something.

Hon Mr Saunderson: I might say that our fuel tax — and we're asked to do something — is very low compared to the fuel tax in Alberta and British Columbia. Our fuel tax is 2.7 cents per litre and the rates out in British Columbia and Alberta stood at 5%. Now I know British Columbia is rethinking what they're going to do, but I can tell you that Alberta is also doing the same thing. In their budget of last May they decided they would reduce the fuel tax to 2.5 cents per litre starting in 1998. Now they have said they will backdate that to the beginning of this year.

As far as I'm concerned, this province is doing something. Our fuel tax is very competitive with all the fuel taxes in those other two provinces.

Mr Hampton: It's very interesting. I ask a question about 6,000 jobs and about \$1 billion in economic activity for Ontario and I get a response —

Interjections.

The Speaker (Hon Chris Stockwell): Order. Just a second. Would the government members please come to order. The members for Brant-Haldimand and Nepean, please come to order.

Interjections.

The Speaker: And the member for Quinte I guess too. Leader of the third party.

Mr Hampton: Let me try again, Speaker, because this is about 6,000 good-paying jobs in Ontario and it's about \$1 billion in economic activity in the greater Toronto area.

1430

Minister, your government, through your tax scheme, is giving the presidents and the chief executive officers of the big banks down on Bay Street over \$1 million in tax breaks. Meanwhile, the banks are cutting thousands of jobs. So my question naturally flows: If you can afford to give the chief executive officers of banks and the presidents of banks millions of dollars in tax breaks while they cut jobs at the banks, why aren't you at the table with the federal government, the government of British Columbia, the government of Alberta and the workers, trying to sustain 6,000 jobs and trying to sustain \$1 billion in economic activity for Ontario? Don't those jobs count? Doesn't that economic activity count?

Hon Mr Saunderson: Of course jobs count in this province. What we have been doing since we were elected is creating the proper business climate to create jobs. Some 127,000 net new jobs have been created since we were elected.

We are no longer in the business of writing cheques in this government, in my ministry. In the past, we gave

grants to businesses. We do not do that any more. What we give to business is the right business climate in which to thrive.

When I have the opportunity to travel outside this country, I'm appalled to hear from the countries and companies I speak to about the bad situation the two previous governments allowed to develop in this province.

Finally, I would just like to say to the leader of the third party —

The Speaker: Minister, thank you.

Mr Hampton: The minister talks about writing cheques. We know you're very good at writing cheques to bank CEOs and bank presidents. They're going to get their \$200,000 each.

Interjections.

The Speaker: Stop the clock, please. I ask the government members to come to order, please. It's very difficult to hear the answers and the questions.

Mr Dominic Agostino (Hamilton East): What is wrong with you guys over there?

The Speaker: I don't need any help, member for Hamilton East.

Mr Hampton: I can tell from the hoots and hollers of the Conservative caucus that they don't care about these 6,000 jobs, but it's the minister here who has the responsibility. I say to the minister, we know you're very good at writing cheques to bank presidents and you're very good at writing cheques to CEOs of banks and you're very good at writing cheques to consultants for \$2,400 a day.

This concerns 6,000 direct and indirect jobs in the greater Toronto area and over \$1 billion in economic activity. Everybody else, every other government, the workers, the unions are now at the table trying to work out an agreement. You, the Ontario government, can cinch this deal. You can go to the table and you can cinch this deal. You can sustain 6,000 important, well-paying jobs for the greater Toronto area and \$1 billion in annual economic activity.

Minister, will you do the right thing for the economy and the right thing for jobs? Will you go to the table, make a contribution like the workers and the other —

The Speaker: Thank you. Minister?

Hon Mr Saunderson: Let me just tell the leader of the third party that we are doing the right thing. I keep saying it again and again. We're creating the right business climate for businesses to thrive. From a philosophical point of view, we are all here in this House because of the democratic process. I think somebody should explain the democratic process to Buzz Hargrove.

Applause.

The Speaker: New question, third party.

Mr Hampton: My next question is to the Attorney General, but I'd say from the response of the Conservative caucus, you really do hate unions, don't you?

FAMILY SUPPORT PLAN

Mr Howard Hampton (Rainy River): My question for the Attorney General is this. It regards the continuing chaos you've created at the family support plan office by

closing the regional offices and laying off 290 experienced staff. Today the problem is one of confidentiality of records.

My colleague from London Centre received confidential information from the family support plan office which was intended for the offices of Dwight Duncan and Bruce Crozier. Three family support plan confidential files, with the women's names, case numbers, their personal information about their family support cases, were wrongly sent to the office of the member for London Centre.

Minister, is the situation so desperate now at the family support plan office that confidentiality of addresses and records and names doesn't matter any more, that you're so disorganized that you fax them to all and sundry? Is that what it's gotten to, that you really don't care about the confidentiality —

The Speaker (Hon Chris Stockwell): Thank you, Minister?

Hon Charles Harnick (Attorney General, minister responsible for native affairs): I will not comment on the issue. It's something that obviously is now being brought to my attention. I'm prepared to look into the matter and get back to the member.

Mr Hampton: We've been hearing that the minister "will check into this matter," and every day it's another horror story. Let me give you this one from Ottawa. My office was informed by SCOPE, Support for Children, an Organization for Public Education, based in Ottawa, that one of their members, a woman received a phone call from the family support plan office, but it was a collect phone call. It is surely a sad state when the family support plan office, which has cut women and children off from child support, now calls those same women and children and says: "We can talk to you, but it's a collect call. You have to pay for it."

You've been telling women and children across this province for four months now that you're creating a wonderful new plan. Is it now the policy that not only are you going to deny women and children their support cheques, but you're going to charge them collect phone calls when they try to find out how you bungled it?

Hon Mr Harnick: Certainly, if the information the member provides is accurate, it disturbs me as much as it disturbs him. I'll look into it.

Mr Hampton: We raise every day the plight of ordinary women and children across this province who are being denied an income, who are being driven to food banks, who are being evicted from their apartments, who are having their electricity shut off, their phones disconnected, their natural gas shut off, because this minister wrecked the family support plan and this minister, day after day, week after week, month after month, cannot provide any answers.

Minister, let me ask you this: It's now two weeks before Christmas. Do we have to send another video crew into the family support plan office at 55 Yonge Street to help you get the problem straightened out?

Hon Mr Harnick: I can tell you that on Tuesday moneys were disbursed to 7,000 families. Yesterday we disbursed money to 5,000 families. We're now disbursing money at a rate that's 25% greater, on a daily basis, than has ever been the case before. We're developing a new

office that I think will provide far better service to women and their children than the office has ever been able to supply before.

Everyone in this assembly knows that problems with the family support plan have been of long standing. Everyone in this chamber knows that is one of the recurrent complaints that has always existed in their constituency offices.

We are doing our utmost to improve service. We have a bill before this Legislature that I hope the opposition will support. It will make enforcement procedures significantly better so that we can continue to collect money — significantly more than we've ever been able to collect.

1440

IPPERWASH PROVINCIAL PARK

Mr Gerry Phillips (Scarborough-Agincourt): My question is to the Attorney General and it has to do with Ipperwash. I want to review an answer he gave the House on October 31, 1996. Many people have felt that one of the key reasons the natives occupied Ipperwash park was because they believed there was a sacred burial ground in that park. We also assumed that the first nations had told the government that was the reason they were occupying the park. They said: "Listen, we are taking over this park because we believe a burial ground exists in there. It's very important to us."

However, when you were asked that question in the House, on October 31, you said: "There is no evidence that is why...the occupation took place." Are you saying the first nations people never told the government that a reason they were taking over the park was because they believed there was a sacred burial ground in the park?

Hon Charles Harnick (Attorney General, minister responsible for native affairs): The issue with the park has been an issue that has been debated. There have been investigations regarding the geological aspects to Ipperwash Provincial Park. Certainly, I stand by the answer that I provided to the member when he asked the question originally.

Mr Phillips: We have obtained two confidential briefing notes for the Ministry of the Attorney General. The Attorney General has said to the House that the natives did not explain that there was a sacred burial ground in there. In answer to our question, when I said one of the reasons they did that was because they believed there was a sacred burial ground within the boundary of the park, the Attorney General said, "That isn't why they went into the park."

We have two briefing notes obtained under freedom of information. One — I might add, I gather there was an error in releasing this to us in that something should have been whited out that wasn't — is a briefing note to the Attorney General that states clearly that the occupiers allege that the park lands are theirs and they allege that there is a burial site in the park. We have another briefing note dated September 7 for the minister essentially saying exactly the same thing.

The minister has told the House that the first nations did not inform them that there was a burial ground, and

we have two confidential briefing notes that tell us the opposite —

The Speaker (Hon Chris Stockwell): Thank you, Attorney General.

Hon Mr Harnick: I don't deny the fact that allegations have been made. Allegations are being investigated. I've never denied the information that has been obtained from the federal government. I've never denied the information that has come as a result of geological surveys that were done at Ipperwash park early in the 1970s, which were inconclusive.

Certainly we have always said, as a government, that if there is a burial ground there, we're prepared to take steps to ensure that it's protected. We're prepared to respect that burial ground and we're prepared to work with Chief Bressette to determine the existence of a burial ground and to deal with the matter on that basis. Certainly we have indicated that very clearly to Chief Bressette.

HIV FUNDING

Mr David S. Cooke (Windsor-Riverside): I have a question to the Minister of Health. I want to ask you a question about the Trillium drug plan. The minister will know this matter has been raised with him several times. It was raised in estimates. It has been raised with him by a number of consumer groups.

The minister will be aware that the waiting period to get approved by the Trillium drug plan is still running between four and five months. This plan was designed to help people who have extreme drug costs and need prescription drugs. Instead, what they get from your ministry are taped messages and no responses. There was a commitment made by the director of the program in meetings with the AIDS foundation and AIDS Action Now that the program would be fixed by November 1. It's a month after and the wait continues. What action are you taking to make sure this program responds to desperate needs for people who need prescriptions?

Hon Jim Wilson (Minister of Health): We've taken a number of actions to ensure that the waiting lists decrease. When the previous government started the program — and we've expanded the program this year. For everyone in the province who's paying their \$2 copayment, all of that money has gone into helping expand the program so that the working poor in the province, some 140,000 more working poor, and families, have access to the program. That has put considerable pressure on the program.

I don't think our waiting lists today are still four to five months. The program started about two years ago. Not many people knew about it so there weren't many applications. Now that word has got out and we've made the reinvestment of all those copayments into the program and expanded the program, yes, there is a considerable workload there. The director of the program, who I know you've spoken to personally, is doing everything he can to resource up the program and make sure we get the applications turned around.

No one is being denied drug coverage under the program. We're having to catch up in many cases to

some of the bills that people have paid, and we're fully going to pay people who are fully qualified for the program.

Mr Cooke: The difficulty is that there are a lot of people who can't afford to lay out the cash in order to purchase the drugs and wait for the Trillium drug plan to respond. The minister will know that people, especially people with AIDS, need to continually take their drugs. If they stop taking their drugs because they can't approval from Trillium, it will do them more harm.

I would like to ask the minister, does he think it's appropriate for people like Jim Wakeford, who laid out, out of his own pocket, \$4,500 before he was approved by Trillium, to have that happen with a program that is designed to help people, and is the minister prepared to meet with people like AIDS Action Now and other consumer groups, since he thinks the program is fixed, to get first-hand knowledge to understand that it's not working and it's got to be changed and it's got to be properly resourced so that people can get the help when they need it?

Hon Mr Wilson: I'd be happy to meet with the associations the honourable member has spoken about. I've met with many of those associations. The member's right. We have to get rid of the backlog that's there. Certainly, with people who call us who indicate that they think they qualify for the program and they have the very expensive drugs, we've been trying to deal with those immediately, especially when you have the very high drug costs if you're living with HIV and AIDS. We're doing everything we can. I hope in the next very short period of time to be able to report to the member that we've pretty well caught up. That is our goal.

AUTOMOBILE LEASING

Mr Ron Johnson (Brantford): My question is to the Minister of Consumer and Commercial Relations. Over the last year or so in the riding of Brantford I've had a number of constituents look at me and relay their concerns over the leasing of automobiles. Their concern of course is surrounding some of the complicated language in the contractual agreements. I know from the members opposite that they're experiencing the same thing from their constituents. Is there anything we're doing to help address this complicated problem?

Hon David H. Tsubouchi (Minister of Consumer and Commercial Relations): I thank the honourable member for Brantford for his question. It's very timely that he brings this question to my attention today, because today along with Mr Phil Walker of the Ontario Automobile Dealers Association, Mr Peter Wilson, president of Ford Credit Canada, and the Honourable John Manley, we've introduced a new cooperative initiative that will make leasing a car a much simpler process for the consumer.

This is a good day for the consumer. The intent of this change is the use of plain language, making it far easier for Ontarians to understand the terms and conditions of the auto lease. Documents will state in simple language the monthly payment, interest rate and purchase price,

and this will assist Ontario consumers when they're shopping for a car.

Mr Ron Johnson: As much as that sounds encouraging, and I know we're all in support of this particular program, one concern I have is that it may be creating a little bit more government red tape, so perhaps the minister could clarify the government's position and the minister's position on the creation of red tape and what that's going to do to this particular plan.

Hon Mr Tsubouchi: Although the members on the opposite side of the floor may understand greatly the creation of red tape, this accomplishes exactly the opposite. It's through a joint initiative with business and government, both the federal and Ontario governments, I might add, that simplifies the leasing agreements and the use of plain language. This is great for consumers. They will now be able to understand us.

Earlier in the year, in September, we had a conference of the federal, provincial and territorial governments where we talked about the harmonization of this type of good consumer initiative. This proves that when government and business join together in an initiative, in a partnership, the end result is good for the consumer and good for business.

1450

PHYSICIAN SHORTAGE

Mr Peter North (Elgin): My question is to the Minister of Health. Yesterday and over the past few days we've had inquiries in my office with regard to the loss of yet another physician. This brings the number of physicians that we've lost in Elgin county in the last year or so to 17. People are very concerned. We have probably close to 10,000 people now who don't have a family physician. I wonder if the minister could explain to me what he's doing to ensure the people of rural Ontario will have physicians in the very near future.

Hon Jim Wilson (Minister of Health): I say to the honourable member that the problem is growing in that Ontario has enough physicians, general practitioners and family doctors. The problem is that they're concentrated in the large urban areas. We're doing everything we can to encourage physicians to go out to where they're needed.

Most other provinces now have programs to ensure that when physicians graduate, they have to go where they're needed. We are still trying to use the incentive approach to make sure that our graduates and others go to places like Elgin, but also to my home areas of Alliston and Collingwood, which need physicians and have needed physicians for a number of years.

It's a major topic at the negotiating table, as you know. That was witnessed in the interim agreement which Ontario's doctors rejected. So both parties are back at the table and they're trying again. Certainly one of the objectives I think of everyone at the table is try to find a more permanent solution to this outstanding problem.

Mr North: It's a real concern, I guess, that we would not be in a position where we are forcing physicians into a community they don't wish to be in.

Second to that, we've sent letters supporting some four applications from our particular county with regard to the underserved area program. The worry and concern we have is that even though we have sent in those particular questions and concerns with regard to underserved areas, inevitably in the end we will be told that for some reason we don't qualify as underserved. We will in the end probably still have some 10,000 people who don't have a family physician. In fact, I am one of them. So we have these concerns. We hope this can be mediated and arranged in some way.

I ask you again, if for any reason you can't get this mediated, if we deal with the underserved area and we can't get physicians, what will you do as minister to ensure that we do?

Hon Mr Wilson: I think the honourable member is aware of the government's commitment and my personal commitment to find a more permanent solution to this problem. The underserved area program is not the most effective way to go about it. With that program in place for a number of years, we've seen a 30% increase in the number of areas of the province since 1990 that are underserved. In fact, as we said when the interim agreement was put forward during the negotiations, it was very clear at that time that 90% of the land mass of Ontario, outside of Metro and a couple of other overserved area, is open for business for Ontario's graduates.

Of the 473 billing numbers that this government has issued since May 1 of this year, unfortunately all but 8% of those new graduates went to overserved or what we call adequately serviced areas. We're still not, in spite of all the incentives, getting the doctors out to where they're needed.

McMICHAEL CANADIAN ART COLLECTION

Mr Monte Kwinter (Wilson Heights): I have a question to the Minister of Citizenship, Culture and Recreation. The McMichael Canadian Art Collection in Kleinburg, Ontario has a world-renowned reputation and is a major cultural and tourism attraction for Ontario.

A November 15 decision of Mr Justice Peter Grossi of the Ontario Court (General Division) could greatly restrict the gallery's ability to acquire and display the works of many important historical and living Canadian artists. Judge Grossi ruled that the gallery should restrict its collection to Group of Seven painters and other artists who have made a contribution to Canadian art. He then went on to define what Canadian art is as applied to the McMichael collection. Judge Grossi's narrow interpretation could have serious negative implications for the gallery.

Minister, you have until December 16, 1996, to appeal Justice Grossi's judgement. Could you tell this House if you indeed plan to appeal this judgement?

Hon Marilyn Mushinski (Minister of Citizenship, Culture and Recreation): I thank the honourable member for the question. The judgement that was handed down several weeks ago has indeed raised a number of complex issues which we are currently examining. No decision has been made at this time with respect to any appeal.

Mr Kwinter: There are two issues at stake here. One is the possible demise of a world-renowned gallery as a result of the elimination of works of art that do not fit Justice Grossi's view of Canadian art, and the other is the negative impact on trustees of publicly funded institutions that have acted in good faith in carrying out their duties and now may be liable for their actions.

Minister, can you assure us today that you will intercede and appeal the judgement to ensure that the McMichael Canadian Art Collection will maintain its stature as an internationally recognized and vibrant collection reflecting an important aspect of Canadian culture? It isn't something where you can just sit back and say, "We really haven't made up our minds." You have a judge who has made a very narrow definition of what is Canadian art. The whole idea that someone would decide on his own that, "This is what I think Canadian art is" is just unconscionable. Surely you at least have to challenge that interpretation.

Hon Ms Mushinski: Thank you again for the question. As I suggested earlier, the judgement has raised a number of issues, very complex in nature, which I believe do need some clarification. That is why I am going through those considerations right now. What I can assure the honourable member is that any decision this government makes with respect to this judgement will clearly be in the best interests of the people of Ontario.

MUNICIPAL RESTRUCTURING

Mr Tony Silipo (Dovercourt): My question is to the Minister of Municipal Affairs. You keep saying that you want your megacity, and you won't let the public or the facts get in the way of that objective. You won't do any cost studies even though there's evidence that amalgamation will actually cost more money rather than save money. You won't call a referendum, as 75% of the people in Metropolitan Toronto are saying they want to see. It's clear to us and it's clear to the people of Metropolitan Toronto that you've already made up your mind as to which option you're going to implement and you just want Crombie to echo your decision.

Nobody believes you're actually going to get the Crombie report today or tomorrow, when you're going to receive it, and then in a few days draft legislation and bring it before this House. So why don't you just tell us today what is going to be in that legislation?

Hon Al Leach (Minister of Municipal Affairs and Housing): The member is right that I am expecting the report from the Crombie panel probably tomorrow. When we get that information, we'll consider that information along with all of the other information that we have: the mayors' report, external information, internal information. When we have an opportunity to review it all, we'll make a decision.

Mr Silipo: It's just incredible that this minister wants to have people believe he's actually going to be drafting a bill in the next three or four days after he considers what Crombie recommends. We know the kind of skating he's been doing on this. We saw the Premier yesterday try to pretend that they don't have a decision, but the minister has been consistently telling us what his position

is on this. What we're saying is this: You've got the bill already drafted. Don't try to fool anybody any more. Just tell us what the bill is and put the bill before the House today rather than waiting and going through the pretence of tabling it next week. You've already drafted it; tell us what's in it.

Hon Mr Leach: I've been very consistent in stating that I have a preferred position. My preferred position doesn't necessarily always represent the government's position. Just to repeat the answer that I gave earlier, we're waiting for the Crombie letter. I expect it probably tomorrow. We'll look at that in conjunction with all of the other information. You wouldn't want us to make a decision before we had all of the information. I'm sure the member opposite would agree to that.

1500

The Speaker (Hon Chris Stockwell): New question, the member for Chatham-Kent.

Mr Jack Carroll (Chatham-Kent): My question is also for the Minister of Municipal Affairs and Housing. For over a year the 21 municipalities in Kent county have been discussing restructuring. Despite these lengthy discussions, there has been no agreement. Many municipalities are now frustrated and looking to the province for some advice and direction. Could you please provide some advice to the people of Kent county on what they should do now?

Hon Mr Leach: I'd like to thank the member for Chatham-Kent for the question. I know he's been very involved in the discussions and negotiations that have been going on in his riding. I'm aware that the municipalities in Kent county have been working very hard and discussing the issue extensively. I've met with the officials in Kent county on numerous occasions and I'm encouraging them to bring forward a local option that best suits the needs of their own communities.

Restructuring is taking place right across the province. There are over 350 municipalities that are involved in restructuring, trying to eliminate waste and duplication, and I hope Kent county will be able to come up with an agreement on this very important issue.

Mr Carroll: Minister, are you prepared to send in a commission to restructure Kent county if no proposal is forthcoming in the immediate future?

Hon Mr Leach: The member is aware, and I'm sure this House is aware, that local municipalities have to request that a commission be appointed. I have had several requests from municipalities in Kent county that such a commission be set up. I'm hopeful, and I continue to hope, that the county will be able to work out a solution to its restructuring issues internally. However, if we don't get a report within the month, I would be more than prepared to appoint a commission to look at the restructuring issues in that county.

HOSPITAL RESTRUCTURING

Mr Dominic Agostino (Hamilton East): My question is to the Minister of Health. Early in the new year your handpicked, appointed hospital restructuring commission will be steamrolling into Hamilton-Wentworth and will be looking at our hospital system. The people of Hamilton-

Wentworth are fearful. They're concerned. There's a great danger in their minds that this government is going to close one of the hospitals in our area.

Minister, let me go back to a comment made by your then leader, now the Premier of Ontario. I quote a response to a question in the leaders' debate: "Certainly I can guarantee that it's not my plan to close hospitals." That was Mike Harris. Can you guarantee to the House today that Mike Harris will keep that commitment to the people of Hamilton-Wentworth?

Hon Jim Wilson (Minister of Health): It is very clear in Hamilton-Wentworth and in other areas of the province where local communities have developed plans that these local communities are tired of half-empty hospitals with fewer and fewer services almost every month. The fact of the matter is, nobody in health care today is looking at the bricks and mortar. That's the old-style politics. That's the old way that got us into trouble and increased the waiting lists.

We're driving every dollar into front-line services. Nine thousand hospital beds have been closed in the last seven years. We've got half-empty buildings in many parts of the province. The full administration is still there. All of that needs to be restructured, the dollars saved. When we get rid of the waste and duplication, all those dollars have to be driven into patient services because there's no use having hospital buildings that don't have any services in them.

Mr Agostino: What the minister has just said serves as absolutely no comfort, gives absolutely no reassurance to the people in Hamilton-Wentworth and clearly indicates that the Premier is willing to break his promise and the commitment that he made.

Minister, let me remind you that the hospital CEOs in Hamilton-Wentworth came together and put together a formula, a plan that would ensure that all the hospitals remain open, that all the services that are being provided are being provided within the current financial framework you have given them. They're willing to work within the money that you have assigned those hospitals. That plan was approved by all the CEOs in Hamilton-Wentworth. We're now afraid your restructuring commission is going to come in and overturn this local solution.

Can you assure the people of Hamilton-Wentworth who work with the hospital communities, the CEOs and the patients in our community that the promise made by Premier Mike Harris that you're not going to close any hospitals will be maintained by the restructuring commission? Minister, please give us a simple yes or no answer. Will you commit to what the Premier said during the television debate, that you will not close any hospitals in this province, including Hamilton?

Hon Mr Wilson: I don't know what the definition of a hospital is for the honourable member. Is it the corporate entity — of which, by the way, five in the last five months have voluntarily merged and no longer are that hospital — or is a hospital the services, the nurses and the hospital workers?

What is our number one consumer complaint today? That is, Mr Speaker, and you hear it all the time in your riding and I hear it in mine, you visit your mother or your grandmother at the hospital and she tells you it's a

beautiful hospital, nice cafeteria and a beautiful atrium but she hasn't seen a nurse all day or a health care worker. How many times do you hear that someone's gone to visit someone in the hospital and they've been sitting on a dirty bedpan for 45 minutes because there aren't any services around?

We're trying to get rid of all the waste and the duplication and drive it so that once again we'll have full-service hospitals that can look after the patients who are there and get away from the bricks and mortar and excessive administration that we have throughout this province.

I know, in direct answer to the question, that the commission will take both the CEOs' and the DHC's plans into consideration in his community.

SERVICES FOR ABUSED WOMEN

Ms Marilyn Churley (Riverdale): My question is for the Minister of Community and Social Services. You will recall that two weeks ago I asked you about the report issued by the Ontario Association of Interval and Transition Houses. Your response to the question was to state that the biggest threat to women was the debt. I would like to point out to you that the debt has never given anybody a broken jaw; the debt has never given anybody a black eye.

Minister, your comments have angered women across this province. On this day, when we remember the victims from December 6, 1989, the 14 women who were shot, I ask you if you will retract that statement today and apologize.

Hon Janet Ecker (Minister of Community and Social Services): Thank you very much, to the honourable member, for the question. I don't think there was anybody in this House who was not moved by the comments that the honourable member made earlier today in commemoration of a very tragic event that happened in the past. That is one of the reasons why our government believes that we should continue to spend and that we are spending money on helping women who need help to get out of abusive relationships.

I'd like to remind the honourable member that we spend, on a per capita basis, more than twice what the province of Quebec spends on similar programs; we spend almost two and a half times per capita what the NDP government in Saskatchewan spends; four times what the Liberal government in Nova Scotia spends.

I know it's a very serious issue. We take it very seriously. I believe we are making a financial commitment to provide the services that those women so desperately need.

Ms Churley: Minister, you still haven't apologized for that comment or retracted, and I would still ask you to do that.

I have here an article from that same week from the Windsor Star. In it, you stated that you think the report issued by the Ontario Association of Interval and Transition Houses is inaccurate. This province, under your government, despite what you just said, has cut; you're taking a giant step backwards.

These women came here on November 18 to plead with you. They have direct and tangible evidence that women are being forced back into abusive situations. There is nowhere for them to go. The supports are being whipped out from under them. I ask you if you think they are lying, and you refuse to answer. But outside of this House that is essentially what you did. Your cuts are hurting women. I'm asking you again today, will you at least reinstate the \$9 million, and that's just a tiny portion, in the upcoming budget that you have taken out?

Hon Mrs Ecker: I appreciate the concern of the honourable member, but we are spending \$60 million on 97 shelters and for the 100 counselling programs. I've talked about how much we are spending per capita compared to other jurisdictions. I'd like to remind the honourable member that the report talks about an increase in the number of women who are going back to abusive relationships, but according to a 1993 Statistics Canada report, the number of women who were going back was even higher than it is now.

The other fact that I think is important to note is that only about 13% of women actually need the shelters when they do leave abusive relationships.

It is a tragedy when it happens to a woman, when a family is broken up by abuse, and I would be very happy to have \$90 million more for this important need, but with the \$9 billion in interest that you guys left us with, we don't have a lot of choice.

Ms Churley: Then don't give up the money to rich people.

Mr Bud Wildman (Algoma): Take the \$90 million out of your tax cut.

The Speaker (Hon Chris Stockwell): Order. Members from the third party, please come to order.

Interjection.

The Speaker: The member for Kitchener, please come to order.

1510

SOCIAL ASSISTANCE

Mr John R. Baird (Nepean): My question is for the Minister of Community and Social Services. In the last election campaign the people of Ontario told us our welfare system was broken and they wanted major reforms to change that welfare system. This morning I read in all the Metro Toronto dailies that the welfare rolls are once again declining in Metropolitan Toronto. What can I tell the folks in my constituency who are demanding major change and major reform about the provincial rates across the province?

Hon Janet Ecker (Minister of Community and Social Services): I'm very pleased to report that once again the number of people, the number of women and children on welfare has declined in this province. Over 200,000 fewer people are stuck on welfare. That's good news not only for the taxpayers of this province, it's very good news for those families that are getting on with their lives and getting off welfare.

Mr Baird: This is a very significant and unprecedented decrease in our province. I can't think of a jurisdiction anywhere in North America which has

achieved such success in terms of getting people back in the workforce, with more than 127,000 net new jobs being created. I wonder if the minister could tell the House why she believes this trend is occurring. Could the minister inform us of that?

Hon Mrs Ecker: We are very pleased to see that the strong economic growth, the new net job growth in Ontario, is certainly having a very beneficial impact on the number of people who are coming off welfare. In addition, our welfare reforms are also having an impact.

Mr Peter Kormos (Welland-Thorold): Where have you been? Unemployment is higher than it was a year ago.

Interjections.

Hon Mrs Ecker: The honourable members across the way are hooting and hollering about this, but let me put another fact on here about their record. During their time in office, there was a 121% increase in the number of women and children stuck on welfare. I think that status quo is unacceptable. Since we've taken office, there's been an 11% decrease in the number of women and children who are trapped on welfare. I think that's good news for those families.

OFFICE OF THE WORKER ADVISER

Mr James J. Bradley (St Catharines): My question is for the Minister of Labour. In the Niagara region there's great concern being expressed with the potential of your closing the worker adviser office in Thorold. As I read the Jackson report on WCB, I noted there was a mention of the importance of worker adviser offices. Will you assure the people of the Niagara region that you will not close the worker adviser office, which provides counselling and assistance to those who don't have any other kind of counselling assistance available to them in their cases with the WCB?

Hon Elizabeth Witmer (Minister of Labour): As you know, in Bill 99 we've indicated that we value the work that's done by the office of the worker adviser and we intend to continue to operate the offices that are presently functioning today.

FEWER POLITICIANS ACT, 1996

LOI DE 1996

RÉDUISANT LE NOMBRE DE DÉPUTÉS

Deferred vote on the motion for third reading of Bill 81, An Act to reduce the number of members of the Legislative Assembly by making the number and boundaries of provincial electoral districts identical to those of their federal counterparts and to make consequential amendments to statutes concerning electoral representation / *Projet de loi 81, Loi visant à réduire le nombre des députés à l'Assemblée législative en rendant identiques le nombre et les limites des circonscriptions électorales provinciales et fédérales et à apporter des modifications corrélatives à des lois concernant la représentation électorale.*

The Speaker (Hon Chris Stockwell): It was agreed that immediately following question period the members would be called in for a deferred vote on Bill 81. It will be a five-minute bell.

The division bells rang from 1515 to 1520.

The Speaker: Mr Johnson has moved third reading of Bill 81. All those in favour of the motion will please rise one at a time and be recognized by the Clerk.

Ayes

Arnott, Ted	Hastings, John	Rollins, E.J. Douglas
Baird, John R.	Hodgson, Chris	Ross, Lillian
Barrett, Toby	Hudak, Tim	Runciman, Robert W.
Bassett, Isabel	Jackson, Cameron	Sampson, Rob
Brown, Jim	Johnson, Bert	Saunderson, William
Carroll, Jack	Johnson, David	Shea, Derwyn
Chudleigh, Ted	Johnson, Ron	Sheehan, Frank
Clement, Tony	Jordan, W. Leo	Skarica, Toni
Cunningham, Dianne	Kells, Morley	Smith, Bruce
DeFaria, Carl	Klees, Frank	Snobelen, John
Doyle, Ed	Leach, Al	Tilson, David
Elliott, Brenda	Marland, Margaret	Tsubouchi, David H.
Eves, Ernie L.	Martiniuk, Gerry	Turnbull, David
Fisher, Barbara	Munro, Julia	Vankoughnet, Bill
Ford, Douglas B.	Mushinski, Marilyn	Wettlaufer, Wayne
Froese, Tom	Newman, Dan	Wilson, Jim
Gilchrist, Steve	O'Toole, John	Witmer, Elizabeth
Grimmett, Bill	Ouellette, Jerry J.	Wood, Bob
Guzzo, Garry J.	Parker, John L.	Young, Terence H.
Harnick, Charles	Preston, Peter	

The Speaker: All those opposed, please rise one at a time to be recognized by the Clerk.

Nays

Agostino, Dominic	Kennedy, Gerard	North, Peter
Boyd, Marion	Kormos, Peter	Phillips, Gerry
Bradley, James J.	Kwinter, Monte	Pouliot, Gilles
Brown, Michael A.	Lalonde, Jean-Marc	Ramsay, David
Caplan, Elinor	Lankin, Frances	Ruprecht, Tony
Christopherson, David	Laughren, Floyd	Sergio, Mario
Churley, Marilyn	Marchese, Rosario	Silipo, Tony
Colle, Mike	Martel, Shelley	Wildman, Bud
Cooke, David S.	Martin, Tony	
Hampton, Howard	Morin, Gilles E.	

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 59; the nays are 28.

The Speaker: I declare the motion carried.

Resolved that the bill do now pass and be entitled as in the motion.

MOTIONS

CONSIDERATION OF BILL 52

Hon David Johnson (Chair of the Management Board of Cabinet and Government House Leader): I move that the order for third reading of Bill 52, An Act to promote resource development, conservation and environmental protection through the streamlining of regulatory processes and the enhancement of compliance measures in the Aggregate and Petroleum Industries, be discharged and the bill referred to committee of the whole House.

The Speaker (Hon Chris Stockwell): Shall the motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion the ayes have it.

I declare the motion carried.

STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Hon David Johnson (Chair of the Management Board of Cabinet and Government House Leader): I move that notwithstanding the order of the House dated November 2, 1995, the standing committee on resources development be authorized to meet beyond 6 pm on Monday, December 9, 1996, for the purpose of clause-by-clause consideration of Bill 86, An Act to provide for better local government by updating and streamlining the Municipal Elections Act, the Municipal Act and related statutes.

Mrs Elinor Caplan (Oriole): I'd like to speak very briefly to this motion. I was contacted by a resident of Ontario, a Mr Doyle, who has a concern about a portion of this bill that has to do with an amendment to the ambulance services act. He asked me if the bill was going to be referred to committee. When I checked with the government House leader and found out that in fact it was going to the resources committee, I told him that it would be at committee and that under the normal practices at committee individuals could make presentation if they made that request. He asked if he could be heard at committee.

It's my understanding that the subcommittee met this morning and decided that it would not be hearing deputations from individuals. I communicated this to Mr Doyle and suggested that he make a written presentation to the committee, that he attend in person and could talk to the members privately so that it would not impede the progress of this bill, as had been discussed. I know that Mr Doyle would really appreciate it if he could have, at most, 10 minutes to be heard by the committee, and I would ask for support from all parties, via unanimous consent, to give Mr Doyle his 10 minutes at the start of the committee hearing to allow him to have his say before this proceeds to clause-by-clause.

I would hope that the government has no objection. The government House leader told me he had no objection. I know the concern in the third party was the precedent it would set, but I would ask, since he's the only one who has really expressed a concern about something which is just a part of the bill that has not been addressed in debate in this House, if we could have all-party consent, unanimous consent, that Mr Doyle be granted 10 minutes before the resources committee at the start of its deliberations.

The Speaker (Hon Chris Stockwell): With respect, this is going to be further debate on this issue. The problem I have is that you can't seek consent in the House for —

Mrs Caplan: Unanimous consent.

The Speaker: You can do anything with unanimous consent except you can't bind a committee. A committee

can go and have unanimous consent to hear that person, but the House seeking unanimous consent to tell a committee to hear one individual is not in order. It's best that you make that motion at committee.

Mrs Caplan: I don't want to prolong this. It's my understanding that if the House makes that request of the committee, the government members who then control the committee would assent to that. While we're not binding the committee, it's just a request that Mr Doyle be heard at the committee. That's all I'm asking.

The Speaker: You're seeking unanimous consent that this House request the committee to hear Mr Doyle for 10 minutes at the beginning of the committee?

Mrs Caplan: That's correct.

The Speaker: The member for Oriole is seeking consent to ask the committee —

Interjection: No.

Ms Frances Lankin (Beaches-Woodbine): Your House leader said yes today.

Mrs Caplan: Your House leader said yes.

The Speaker: Is there consent? Agreed? With all due respect, the member for Oriole, you've left the Speaker in a very difficult situation. I appreciate that maybe the House leader did agree to that — I'm not saying he didn't — but the difficulty I'm faced with is that you're doing something which really is not allowed: You're asking the House to have unanimous consent to bind a committee. You can request, but you can go to the committee and get unanimous consent there. May I suggest that's what you do.

Mrs Caplan: I've had communication with the House leader, who says he'll speak to the committee Chair. I understand that the third party is prepared to support that request. I therefore withdraw my request for unanimous consent of this House, and I do hope this matter can be settled and that Mr Doyle will have his 10 minutes at committee.

1530

Mr Frank Klees (York-Mackenzie): On the same point, Mr Speaker, I have a concern that something is being done here for a member that is not applicable to other members. I have to say to you that I too have constituents who would have liked to have made presentations on this issue. If we're going to do something here for one member, I think we should also make it possible for other people in this province to make representation, so I just think we have to think very carefully about this.

Mr David Christopherson (Hamilton Centre): Mr Speaker, just to do what we can to clarify what should be a fairly routine matter, I want to be clear because the member for Oriole left the impression that we were the only ones to raise the concern.

The issue raised by the last speaker is exactly the one I raised and said, "However, if it's a big enough issue, I'll go back and talk to our critic and House leader." The fact of the matter is, just to be clear to the honourable member, that it was her colleague on the subcommittee who also agreed to go back and recommend that there not be a presentation, so let's be very clear where people are. My sense is, in watching the House leaders talk here, that this can be worked out. But don't let the impression be left that it was somehow the third party, because her own

representative was going to talk to you about backing off and agreed that there was a concern about precedent. Let's be clear about who said what.

The Speaker: Further debate? Seeing none, let's go back to this.

Mr Johnson has moved that notwithstanding the order of the House dated November 2, 1995, the standing committee on resources development be authorized to meet beyond 6 pm on Monday, December 9, 1996, for the purpose of clause-by-clause consideration of Bill 86, An Act to provide for better local government by updating and streamlining the Municipal Elections Act, the Municipal Act and related statutes.

All those in favour? Carried?

Interjection.

The Speaker: This is simply extending the meeting time.

Mr Christopherson: But you said after 6. I thought it was supposed to be finished at 9.

The Speaker: I have this motion. I can only read the motion. If it's not going to be carried, then it's not carried, so let's just — agreed? Agreed.

Any other motions? That's good.

PETITIONS

EDUCATION REFORM

Mr Mike Colle (Oakwood): This is a petition on secondary school reform in Ontario.

"Dear Minister of Education and Training:

"We believe that the heart of education in our province is the relationship between student and teacher and that the human relational dimension should be maintained and extended in any proposed reform. As Minister of Education and Training, you should know how strongly we oppose many of the secondary school reform recommendations being proposed by your ministry and government.

"We recognize and support the need to review secondary education in Ontario. The proposal for reform as put forward by your ministry, however, is substantially flawed in several key areas, namely (a) reduced instruction time, (b) reduction in instruction in English, (c) reduction of qualified teaching personnel, (d) academic work experience credit not linked to education curriculum, and (e) devaluation of formal education.

"We strongly urge your ministry to delay the implementation of secondary school reform so that all interested stakeholders — parents, students, school councils, trustees and teachers — are able to participate in a more meaningful consultation process which will help ensure that a high quality of publicly funded education is provided."

I'll affix my name to this petition.

CLOSURE OF VANIER CENTRE FOR WOMEN

Ms Marilyn Churley (Riverdale): I have a petition on the proposed closure of the Vanier Centre for Women, which has got people quite worried. It reads:

"The government's proposed closure of the Vanier Centre for Women in Brampton and the placement of all

provincial women prisoners into a superjail is both foolish and costly. The Vanier Centre is a dedicated facility for women, which has developed programs specific to the needs of women.

"A woman's reality is substantially different from that of a man, due in large part to her perceived secondary status in society. Female offenders are almost invariably victims of male violence. They experience low self-esteem and have not developed the ability to act on their own behalf. Women offenders typically have depended upon men or society to maintain themselves economically. They're often caught up in destructive lifestyles that lack purpose and reason.

"Vanier is a unique facility which provides specialized programs to deal with issues like physical and sexual abuse, lack of trust in relationships and low personal aspirations. Based upon compassion and understanding between staff and offenders, the Vanier program provides support, role modelling, behaviour modification and problem-solving skills. Offenders in the Vanier program are 15% less likely to reoffend than offenders who receive no treatment.

"The Vanier Centre is a facility whose success in preventing recidivism is" — I can't read that word. "The cost of effective corrections at the provincial level must be balanced with the cost of recidivism if specialized programs are not provided.

"How shameful for the government to even contemplate destroying this facility and its program with a move to the proposed superjails, where the ratio of prisoners to specialized staff will be lowered and the potential for rehabilitation greatly reduced."

I affix my signature to this petition.

BEAR HUNTING

Mr Jerry J. Ouellette (Oshawa): In accordance with standing order 36(b), I summarize the contents of the following petition to say that it deals with the spring bear hunt and I submit it as required.

USER FEES

Mr Tony Ruprecht (Parkdale): I keep receiving petitions against the \$2 user fee for seniors. The petition reads as follows:

"To the assembly of Ontario:

"Whereas the Ministry of Health has started to charge seniors a \$2 user fee for each prescription filled since July 1996; and

"Whereas seniors on a fixed income do not significantly benefit from the income tax savings created by this user fee copayment or from other non-health user fees; and

"Whereas the perceived savings to health care from the \$2 copayment fee will not compensate for the suffering and misery caused by this user fee or the painstaking task involved in filling out the application forms; and

"Whereas the current Ontario Minister of Health, Jim Wilson, promised as an opposition MPP in a July 5, 1993, letter to Ontario pharmacists that his party would not endorse legislation that will punish patients to the detriment of health care in Ontario;

"Therefore, we, the undersigned Ontario residents, strongly urge the government of Ontario to repeal this user fee plan, because the tax-saving user fee concept is not fair, is not sensitive, is not accessible to low-income or fixed-income seniors; and lest we forget, our province's seniors have paid their dues by collectively contributing to the social, economic, moral and political fabric of this country called Canada."

I've affixed my signature to this document, because I agree with it.

EDUCATION FINANCING

Ms Shelley Martel (Sudbury East): I have a petition addressed to the Legislative Assembly which reads as follows:

"Whereas Mike Harris and John Snobelen promised no cuts to classroom education, and since their election the Harris government has cut more than \$430 million from school board budgets, representing a cut of nearly \$1 billion to public education on an annualized basis; and

"Whereas our children have already lost 50% of their special education funding, they've lost their librarians and in some areas their junior kindergartens. Many of them have no music programs left in their schools. Their class sizes have increased enormously. Some are in danger of losing their buses; and

"Whereas parents across Ontario know that most of the changes in education are just being made to cut \$1 billion so the government can help fund its tax cut; and

"Whereas parents know these cuts are affecting the classrooms and the quality of education for their children; and

"Whereas parents know that they have not been consulted;

"We, the undersigned, demand that Mike Harris stop these cuts to our children's education and to their future."

This is signed by 44 residents in the riding of Sudbury East. I agree with the petitioners and I have signed it as well.

SCHOOL FACILITIES

Mr John R. Baird (Nepean): I have a few hundred more signatures to add to the growing list of signatures for the Barrhaven High School, which reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the community of Barrhaven lacks any secondary schools to educate the large number of students living in the area;

"Whereas Barrhaven is the most rapidly growing community in Ottawa-Carleton;

"Whereas the National Capital Commission's greenbelt severs the community of Barrhaven from Nepean, forcing many students to be bused from their community, wasting both time and money;

"Whereas St Pius X and St Paul's high schools in Nepean have 36 portables on site;

"Whereas the Carleton Roman Catholic school board has undertaken significant cost-saving measures to help reduce the construction costs of its high schools;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We strongly urge the Minister of Education to recognize the urgent need for a Catholic high school in Barrhaven and provide the funding required to build our school."

I have affixed my own signature thereto.

1540

TVONTARIO

Mr Michael A. Brown (Algoma-Manitoulin): I have actually several petitions.

"To the Legislative Assembly of Ontario:

"Whereas TVOntario has been providing Ontarians of all ages with high-quality educational programs and services delivered through television and other media for 25 years;

"Whereas TVOntario provides universal access to educational broadcasting in the most effective way possible;

"Whereas TVOntario provides essential broadcast services to communities in northern Ontario;

"Whereas TVOntario has an extensive community-based advisory network spanning the province;

"Whereas TVOntario is committed to increasing net self-generated revenues by 15% every year;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To formally commit to the province's continued support of TVOntario as a publicly owned educational network."

I will affix my signature to this petition, which is signed by numerous residents of Mindemoya, Manitowaning and Spring Bay.

OCCUPATIONAL HEALTH AND SAFETY

Mr David Christopherson (Hamilton Centre): I have a petition forwarded to me by the third vice-president of Local 641 of the Union of National Defence Employees, which is a component of the Public Service Alliance of Canada. The petition reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas it is vital that occupational health and safety services provided to workers be conducted by organizations in which workers have faith; and

"Whereas the Workers' Health and Safety Centre and the occupational health clinics for Ontario workers have provided such services on behalf of workers for many years; and

"Whereas the centre and clinics have made a significant contribution to improvements in workplace health and safety and the reduction of injuries, illnesses and death caused by work;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario to oppose any attempt to erode the structure, services or funding of the Workers' Health and Safety Centre and the occupational health clinics for Ontario workers.

"Further, we, the undersigned, demand that the education and training of Ontario workers continue in its present form through the Workers' Health and Safety Centre and that professional and technical expertise and

advice continue to be provided through the occupational health clinics for Ontario workers."

As I'm in support, I add my name to theirs.

MUNICIPAL RESTRUCTURING

Mr John L. Parker (York East): I have a petition here bearing 48 signatures. The signature at the top is that of Shaيدا Addetia, who is a personal friend of mine and who I know to be one of the most conscientious and hard-working servants of her community of just about anyone I know. The petition reads as follows:

"We, the undersigned residents of East York, are in favour of the borough of East York remaining as a separate municipality."

This petition is technically not in a form that's appropriate for submission to this Legislature, but out of courtesy to the sentiment expressed in here and to the care that these people took to execute this petition, I'm happy to read it here this afternoon.

HOSPITAL RESTRUCTURING

Mr James J. Bradley (St Catharines): I have a petition as well, and I'd like to read to the members of the assembly. It reads:

"To the Legislative Assembly of Ontario:

"Whereas the Conservative government of Mike Harris has closed three out of five hospitals in Thunder Bay and two out of three hospitals in Sudbury; and

"Whereas drastic funding cuts to hospitals across Ontario are intimidating hospital boards, district health councils and local hospital restructuring commissions into considering the closing of local hospitals; and

"Whereas hospitals in the Niagara region have provided an outstanding essential service to patients and have been important facilities for medical staff to treat the residents of the Niagara Peninsula and will be required for people in Niagara for years to come; and

"Whereas the population of Niagara is on average older than that in most areas of the province;

"We, the undersigned, call upon the Minister of Health to restore adequate funding to hospitals in the Niagara region and guarantee that his government will not close any hospitals in the Niagara Peninsula."

I affix my name to this petition as I'm in complete agreement with it.

WORKERS' COMPENSATION

Mr David Christopherson (Hamilton Centre): I have a petition from the United Steelworkers of America and the Canadian Auto Workers.

"Whereas the current Progressive Conservative government of Ontario is proposing to amend the Workers' Compensation Act; and

"Whereas the proposed amendments include cutting maximum benefits from 90% to 85% of net average earnings; and

"Whereas the government is further proposing to outlaw workers' compensation benefits for chronic stress; and

"Whereas the direct payment by employers to employees for the first four to six weeks of disability essentially amounts to privatizing a huge portion of WCB, giving employers total control and benefiting private insurance companies; and

"Whereas the Occupational Disease Panel will be folded back into the WCB, therefore compromising their ability to do credible independent work on establishing the cause of occupational diseases; and

"Whereas employer assessments under the government's proposal will be cut by 5%, adding billions of dollars to the board's unfunded liability;

"Therefore we, the undersigned, petition the Legislative Assembly to hold full provincial public hearings on any proposed amendments to workers' compensation legislation to provide all the people of Ontario the opportunity for full disclosure of all proposed amendments and the ability and forum to ensure that all the facts and potential impacts are heard and addressed."

I support the petition by signing my name.

SCHOOL BOARDS

Mr Ted Arnott (Wellington): I have a petition addressed to Premier Harris. It says:

"We, the undersigned taxpayers of the Wellington county school board, are alarmed by the proposed changes to our school board and how this will affect children in the classroom.

"While we agree some reform may be necessary or even helpful, the wholesale dismantling of school boards represents a major loss of local control and resources which we cannot support.

"We are concerned about the speed with which decisions are being made. This issue needs careful study, consideration and public input to understand what the implications of these changes will be.

"We need a local voice in education, we need our resources close by and we need our school boards."

It's signed by a significant number of my constituents.

Interjection: Are you signing it?

Mr Arnott: As per the rules of the House, in order to have the petition accepted by the table, it does indeed bear my signature.

NURSING STAFF

Mrs Elinor Caplan (Oriole): I have hundreds of petitioners who have signed the following petition.

"The Honourable Jim Wilson, Minister of Health:

"We, the undersigned, protest the Ministry of Health's decision to allow for the removal from the Nursing Home Act the requirement for a minimum of one registered nurse on duty 24 hours a day, seven days per week.

"Literature supports, as does the ministry's resident classification, that the care requirements of residents in long-term-care facilities are steadily increasing and are increasingly more complex.

"Residents have multiple health problems requiring the knowledge and skill of the registered nurse to assess and intervene appropriately.

"We believe that the residents have a basic right to registered nurse care and supervision.

"Respectfully submitted."

I sign my name to this petition. It comes from all across the province, from families and concerned friends of individuals who reside in the long-term-care facilities in this province.

1550

ORDERS OF THE DAY

House in committee of the whole.

AGGREGATE AND PETROLEUM RESOURCES STATUTE LAW AMENDMENT ACT, 1996

LOI DE 1996 MODIFIANT DES LOIS EN CE QUI CONCERNE LES RESSOURCES EN AGRÉGATS ET LES RICHESSES PÉTROLIÈRES

Consideration of Bill 52, An Act to promote resource development, conservation and environmental protection through the streamlining of regulatory processes and the enhancement of compliance measures in the Aggregate and Petroleum Industries / Projet de loi 52, Loi visant à promouvoir la mise en valeur des ressources, la conservation ainsi que la protection de l'environnement en simplifiant les processus de réglementation et en renforçant les mesures de conformité dans l'industrie pétrolière et l'industrie des agrégats.

The Second Deputy Chair (Mr Bert Johnson): Are there any questions, comments or amendments, and if so, to which section or sections of the bill?

Hon Chris Hodgson (Minister of Natural Resources, Northern Development and Mines): Subsection 52(1).

The Second Deputy Chair: Any further amendments, comments, questions? Shall sections 1 through 51 —

Interjection: Do we debate the amendments or what?

Ms Shelley Martel (Sudbury East): Are we not going to have some explanation here? The amendment has to be read, does it not?

The Second Deputy Chair: The amendment has not yet been moved.

Shall sections 1 through 51 carry? Carried.

Hon Mr Hodgson: I move that subsection 52(1) of the bill, as amended by the general government committee, be struck out.

The Deputy Speaker: That's subsections 66(1) and (2) of the Aggregate Resources Act. Debate?

Ms Martel: I'll have some debate here.

The Second Deputy Chair: The Chair recognizes the member for Algoma-Manitoulin.

Mr Michael A. Brown (Algoma-Manitoulin): I just want to indicate that this is a technical change that is being made to accommodate accomplishing what the government set out to accomplish. In other words, the way the act was amended in committee by government amendment accomplished exactly the opposite of what the government wanted accomplished. Although this is an unusual procedure today, we are agreeing that we should fix this technical deficiency. We will have much more to say about this bill when third reading comes about.

Ms Martel: I would actually like to ask the government the following question. As I look at the explanatory

note that accompanied the amendment the general government committee actually passed, the explanatory note indicates that the change was being made in order to ensure that a site plan and the condition of a licence would prevail over a municipal bylaw, an official plan and the development permit. That's not the same wording that appears in the old act. So I wonder if I can just get some clarification as to what will happen now with both the site plan and the condition of a licence. Will they indeed then, as we make this change, be part and parcel of being overruled by the act? How will that work? Those are the two things that are different from the act as it currently stands.

The Second Deputy Chair: Minister, would you like to respond?

Ms Martel: Now that the staff are here, do you want me to repeat it?

Hon Mr Hodgson: As I understand it, that's correct. There was case law that said the amendment that was proposed had been overridden in the past. So we've gone back to the original wording which sets out the provincial interest and clarifies the role between bylaws that are municipal.

Ms Martel: I just had the original act in front of me and there was no specific reference made with respect to either a site plan or the condition of a licence. There certainly was mention made of official plans, development agreements, bylaws. My understanding of the reason why the government moved the amendment in the first place was to ensure that site plans and conditions of licence would also now be captured along with bylaws, official plans or development agreements so that all of those things would prevail. I just want to be clear that if we return to the original wording, which doesn't specifically cite those two cases, is that in fact what the government is doing?

Hon Mr Hodgson: Yes, that's my understanding.

Ms Martel: We will be accepting the amendment as well, but we will be looking forward to the debate on third reading to make some other comments with respect to the whole bill.

Mr James J. Bradley (St Catharines): I have a question that may or may not relate to this amendment. I hope it does. Is the member aware of any illegal asphalt plants that are being placed on the escarpment at this time? I heard someone mention that. They mentioned it in the context of this bill; I don't know why. But they mentioned to somebody that there was an illegal asphalt plant being built or it was being done illegally or something, or maybe this legislation permits it to happen. Is the minister aware or are any of the officials aware of that?

Hon Mr Hodgson: No, I'm not aware of that, and I'm sure that has nothing to do with this act. This act will actually prohibit that, because the standards are still maintained. I think it's in the interests of all Ontario. I will consult with the member from Owen Sound to find out if that's the case in his neck of the woods.

The Second Deputy Chair: Further debate? Shall that amendment carry as moved? It is carried.

Shall section 52, as amended, form part of the bill? It is agreed.

Shall sections 53 through 77 carry? Carried.

Shall the title carry? It's carried.

Shall I report the bill to the House? Agreed.

Hon Mr Hodgson: I move that the committee rise and report.

The Second Deputy Chair: Is it the wish of the House that the motion carry? It is carried.

The Acting Speaker (Mr Bert Johnson): The committee of the whole House begs to report one bill with certain amendments and asks for leave to sit again. Shall the report be received and adopted? Agreed.

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Jeudi 5 décembre 1996



Speaker
Honourable Chris Stockwell

Président
L'honorable Chris Stockwell

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Claude L. DesRosiers

Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 5 December 1996

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 5 décembre 1996

Report continued from volume A.

1600

BOXING DAY SHOPPING ACT, 1996 LOI DE 1996 SUR L'OUVERTURE DES MAGASINS LE LENDEMAIN DE NOËL

Mr Runciman moved second reading of the following bill:

Bill 95, An Act to permit shopping on Boxing Day by amending the Retail Business Holidays Act and the Employment Standards Act / *Projet de loi 95, Loi visant à permettre l'ouverture des magasins le lendemain de Noël en modifiant la Loi sur les jours fériés dans le commerce de détail et la Loi sur les normes d'emploi.*

Hon Robert W. Runciman (Solicitor General and Minister of Correctional Services): The bill I table for second reading today, Bill 95, the Boxing Day Shopping Act, will end the confusion that now reigns on the day after Christmas. Store owners will now be free to decide whether or not they will be open or closed that day, employees will have the choice of whether to work or not and consumers will have the choice of whether to shop or not.

As a government, we have always said that we want Ontario to be open for business. Now people will be able to do business on what is often the biggest shopping day of the year without worrying about being charged with an offence and the police can focus on their primary job: fighting crime.

Bill 95 also promotes job creation by increasing available work hours and employment opportunities for Ontario's retail workers.

It has always been the position of this government that less regulation means more jobs. Bill 95 removes December 26 from the list of holiday closing dates for retailers as specified under the Retail Business Holidays Act, effective this year. Bill 95 includes an amendment to the Employment Standards Act to ensure that retail workers' rights are maintained. This means that retail work on Boxing Day will be voluntary. Boxing Day maintains its status as a public holiday.

Bill 95 also amends a provision in the Retail Business Holidays Act concerning commercial leases in order to maintain the right of a commercial tenant to remain closed on Boxing Day despite the requirements of the lease agreement. This gives retailers the option of whether or not to open on December 26.

Bill 95 reflects the government's commitment to balancing the needs of workers and their families and to eliminate barriers to business. The bill eliminates inconsistent enforcement of the Retail Business Holidays Act,

responds to consumers' demands for increased shopping opportunities and it allows all retailers in Ontario to conduct business on this day.

In developing this bill, we consulted with our caucus members, who represent communities of all sizes across the province, the retail sector and we evaluated public support for Boxing Day shopping. Employees indicated to us that they wanted the choice of whether to work or not. Employers indicated that they wanted the choice of whether to open for business or not. Finally, consumers indicated they wanted the choice to shop. Bill 95 addresses these concerns by providing all Ontarians with enhanced choices on Boxing Day.

A recent consumer survey conducted by Market Facts of Canada found that 79% of Ontarians surveyed would shop on Boxing Day if stores were allowed to open. In the Metro Toronto area alone, 87% of those surveyed would shop on Boxing Day. This represents a significant demand by consumers to have the opportunity to shop on this day.

Retailers have enthusiastically welcomed Bill 95. Supporters of the bill include: the retail task force, comprised of the Hudson's Bay Co, Dylex and the Oshawa Group, employing over 92,000 people nationally; the Retail Council of Canada; and the International Council of Shopping Centers, among others. Elizabeth Mills of the Retail Council of Canada believes that, "Removing Boxing Day from the Retail Business Holidays Act adds another day to what is easily the most important shopping period for retailers."

The removal of Boxing Day from the list of prohibited shopping days will have a positive economic impact on the province. The retail task force has estimated that among a sample of its members, Boxing Day sales alone will generate net sales of \$7 million, a provincial sales tax revenue of \$560,000 and create some 4,700 employee days. When distributed across the entire Ontario retail sector, the actual economic benefits will be much greater.

In addition to increased retail sales revenue, Bill 95 will boost the number of available work hours for full- and part-time retail employees, such as students who need the extra income to pay for education expenses. Retail employees who opt to work on December 26 will be entitled to a premium rate of pay in accordance with Employment Standards Act requirements. This is in addition to regular wages for most retail employees.

Bill 95 will also reduce the threat of cross-border shopping on Boxing Day. In past years, large numbers of Canadian consumers have crossed the border on Boxing Day into the United States or into the province of Quebec to shop. The result was lost revenue to the province of Ontario. This bill promotes increased consumer spending in the province, starting this year.

The Christmas season has historically generated significant retail sales activity. Many retailers rely on this season for a large portion of their sales revenue for the year. The removal of Boxing Day from the act adds an important day to the retail sales calendar. The continued protection of retail workers' rights to refuse to work on Boxing Day ensures a fair balance between consumer, retailer and employee needs.

Bill 95 establishes a level playing field for all retailers in the province. The existing act has permitted municipalities to use tourism criteria to designate certain areas open for business, a practice which is discriminatory and unfair to neighbouring retailers and consumers. Bill 95 will ensure that all retailers and consumers are free to conduct business on December 26 if they wish.

This bill will also enhance community safety. In past years, enforcement of retail business closures on Boxing Day required the allocation of police resources to this task. This placed an unnecessary burden on municipalities and their police forces. Removal of Boxing Day from the act will free up police resources for priority front-line work and allow police officers to focus on their primary duty, fighting crime.

Effective in the new year, responsibility for the Retail Business Holidays Act will be transferred to the Ministry of Consumer and Commercial Relations. The rationale for this transfer is that the act deals primarily with issues related to the business sector, not enforcement per se. Accordingly, the Ministry of Consumer and Commercial Relations would be the most appropriate ministry to administer this act, given its mandate for consumer and commercial relations issues.

In concluding, I would like to state that Bill 95 will benefit all Ontarians. It reduces unnecessary government regulation, creates more jobs and increased work hours for employees, ensures that existing employee rights are protected, generates increased sales revenue for businesses in the province and responds to consumer demand for shopping on Boxing Day.

An editorial in *Oshawa This Week* recently commented that Bill 95 is long overdue, and I quote: "Finally a government which is treating us like adults and allowing us to make our own decisions. Changing the archaic Boxing Day law is a good idea which should have been done years ago."

Unlike previous governments, this government is committed to implementing positive economic policies and listening to Ontarians when they demand positive change. Bill 95 delivers on all counts, and Ontarians will reap the rewards starting this year.

The Deputy Speaker (Mr Gilles E. Morin): Questions or comments?

Mr James J. Bradley (St Catharines): My questions or comments would be that I wonder what the conversation was at the Conservative caucus when all of the people who were elected on family values in the Conservative caucus recognized that what was going to happen was that instead of having two days where the family might be able to get together, some travelling from some distance, the government is now going to permit stores to be open on Boxing Day and thereby not allow for that

same kind of family get-together that might otherwise be possible.

I know the minister is saying there is protection for workers, but I wonder if he really believes, for instance, where there's a store where there are five employees and none of the five wishes to work, that that store is going to close, or whether those employees, because of potential retaliation somewhere down the line, are going to feel obligated to work on that particular day.

I'll go to another point the minister tried to address, and I'm not pretending he didn't try to address it. I just don't think it will work. The leases in the malls: Again, those stores which do not open and are protected by this act from opening are certainly not going to be on the good list of the people who own the malls when the lease comes up for renewal and there is perhaps another store that would wish to move into that place, another retail outlet. I wonder whether that is going to be addressed appropriately or whether again that group would feel intimidated.

What this is doing is opening it up wide open, in my view, and maybe some people want that. I'm not saying there aren't a lot of people who might want that, but I think to pretend that somehow there's protection for people is simply to be fooling the people of the province.

1610

Mr David Christopherson (Hamilton Centre): Just to use the two minutes that I have in this response, I will touch on a couple of issues that I intend to expand on later when I speak further to this in about an hour.

First of all, it's almost comical to listen to the Solicitor General talk about freeing up police officers from this so they can go and fight crime, as if there is a police service or a chief or commanding officer or constable who would ever, ever think that enforcing the restriction on shopping on Boxing Day would take precedence over anything that was more important in terms of public safety.

I'm a little disappointed, because I know the minister as an individual is someone who cares about his reputation and I don't know that he does it a great deal of service by raising those kinds of things and letting his speechwriters and spin doctors put that in there when he knows very well that if there were urgent matters of public safety at stake, there's not an officer in command or an officer on the street who wouldn't make sure the public's immediate safety needs were put first, if that meant detective business or responding to a call or assisting the fire department, whatever it might be. But to suggest somehow that this is a positive law enforcement issue really is reaching, even for this government that puts new meaning to the word "reaching."

I'm going to spend a great deal of time later on this afternoon talking about the issue of the minister saying that their legislation, like others, balances the needs of workers and business. Quite the contrary. There's a whole host of issues where business has got the better of the day. This is straightforward business. Stop trying to make it more, Minister.

Mrs Margaret Marland (Mississauga South): I want to congratulate the Solicitor General for finally putting to rest the subject of shopping on Boxing Day. It's a very long-time, convoluted debate —

Mr Bradley: What about the family?

Mrs Marland: — and I say simply to the member for St Catharines, who says, "What about the family?" the point about Boxing Day is, for those of us who celebrate Christmas in the Christian tradition, that Boxing Day is not a religious day. It does happen to be a family day. It does happen to be a day when a lot of people are not working in conventional jobs and they can go shopping together as a family on Boxing Day with the money they've been given as gifts for Christmas. They can shop in a bargain shopping spree. To give people the freedom of choice: That's what we're talking about.

We live in Alice in Wonderland if we don't think that stores have been open illegally on Boxing Day. As long as the employees are protected who do not wish to work on Boxing Day — and this bill which the Solicitor General has tabled does protect the employees who do not wish to work on Boxing Day.

Frankly, I am surprised to hear the former Solicitor General talk about the enforcement because I could never defend the deployment of our highly trained police forces and the officers who serve in those police forces around this province to go and issue tickets to businesses which chose to violate the existing law. How ridiculous. How absolutely absurd that those highly trained men and women, our officers of our wonderful police forces in this province, would be asked to go out and ticket stores which chose to disobey the law.

Mr Mike Colle (Oakwood): It's interesting, the perspective on this bill. I had one retailer who told me: "Darn it, this used to be my best retail day of the year when I used to open up illegally. The government's now taken that away from me." Some other retailer said to me, "Perhaps what should happen is the MPPs should all open up their constituency offices on Boxing Day if they really believe in this." He said he's going to come to my office if I vote in favour of it and make sure that I'm there full-blown.

I generally think this is a bill that faces reality. I know we had a nightmare of a problem at Metro trying to administer this and it was certainly counterproductive in trying to legislate this in any way, shape or form. Metro precipitated this bill because, as you know, Metro unilaterally allowed for Boxing Day and I guess it wasn't fair for people in Peel and Durham and York region with two different rules. But that's going to come to an end. They're going to be announcing this new mega-monster city from Oshawa to Burlington where you'll have just one big, huge government that will make rules for everybody, so we won't have any problems that way in the future.

I would just like to say, though, that the minister mentioned creating jobs. I just got a call in my office from a couple where the husband just got laid off and can't get unemployment insurance because there is a waiting period now. Then the spouse, who worked part time, has been told by her employer that they will be closing down, starting next week and all through the second week in January.

This is the real problem: Somehow we've got to create jobs that pay people reasonable wages, and I don't think

this is going to help. We have to somehow create real, meaningful jobs in Ontario. Right now most of the jobs are part time. We need jobs for people.

Hon Mr Runciman: A brief comment. I share the concern of the member who just spoke with respect to employment. I think all of the signs with respect to the economy are very positive, but the one that is slower with respect to other elements of the economy is consumer confidence. Certainly I encourage him and his colleagues and his new leader to participate in encouraging consumers in this province rather than encouraging something quite the opposite with respect to the future of this province in terms of some of the economic initiatives that have been announced and undertaken by this government and will be undertaken in the coming year.

I think we can all encourage consumer confidence by the role we play in this House and outside of this House.

The member for St Catharines mentioned caucus, and certainly we had a number of very interesting discussions surrounding this issue and other holidays that fall under this act as well. But certainly this does not create a wide-open situation, as the member suggested, because clearly a number of other very important statutory holidays retain their protection under the Retail Business Holidays Act.

The member for Hamilton Centre was commenting with respect to policing. I certainly didn't intend to imply that this was a panacea with respect to freeing up police officers to deal with crime, but I think the problem has been, certainly in the recent past, the police officers found themselves in a difficult situation, especially in Metro when many business owners chose to ignore the legislation and the law and opened. It placed police officers in very difficult circumstances and their time was consumed dealing with this legislation.

The Deputy Speaker: Thank you. Your time has expired. Further debate?

Mr David Ramsay (Timiskaming): I'm very pleased to be able to rise this afternoon and to speak to this bill. I'd just like to say to the table officers that I wish to share my time with the member for St Catharines this afternoon as lead-off speaker.

The Deputy Speaker: Unanimous consent? Agreed. Did I hear a no? Agreed.

Mr Ramsay: I'd like to thank the members of the House for allowing the member for St Catharines and myself to share the time. You're going to get a different perspective by hearing the member for St Catharines and myself speaking on this issue. In the end these are difficult issues. Just as I'm sure all caucuses had an energetic discussion on this issue, these are social issues that reflect the change of time. On this particular issue, I think this is a time when the law is really catching up with society's behaviour and the wishes of people.

As the Solicitor General has said, to send highly trained men and women out chasing down retailers because the public is demanding to get into their stores the day after Christmas is really an inappropriate use of police resources. With all the problems we have today in society, we need our women and men in the police forces to be chasing real criminals, not store owners who are responding to public demand.

1620

The other thing we need to realize too is that many of the laws that we are turning over in the latter part of this century came from the previous century, when basically society by and large was a Christian society in this country and this province. Of course, as we all know, Canadian society has embraced the peoples of the world. We've invited the peoples of the world to live here and we've done a wonderful job of doing that and living here in harmony. I think it's time also that we, through our laws, reflect the diversity, the pluralistic society that we have, and for many people in society Boxing Day is no more special than any other day. Many of those people wish either to work or to shop, and who are we in government to prevent that from happening?

As with anything we do in society, there is a balance and there are people on either side of the issue. While one may look at this issue and say, "For sure. Why shouldn't everybody be for this? It is what people are doing," there are some downsides to it and I appreciate the minister putting into this bill some safeguards. What's certainly debatable is, how strong are these safeguards in protecting retailers who do not wish to open on Boxing Day and how safe are these safeguards in protecting the workers who do not wish to work on Boxing Day and wish to spend the day with their families?

Before I get into that in more detail, though, I want to carry on the theme of, how big a role should government have in what I call social engineering? Really, what we're talking about here with the law we've had that prevents retailers from opening on Boxing Day is saying to the population that we think it's wrong and, in fact up till probably whenever we vote on this bill, that it is illegal for anybody to be purchasing goods or services on the day after Christmas. I think we really have to examine ourselves as legislators, as the lawmakers in Ontario, as to, really, what business is it of ours to be dictating when people can shop, when business people can open their stores?

Of course we've been through all this debate with Sunday shopping, and quite frankly I supported Sunday shopping. We've had it now for many years and I don't really find the world has changed that much with the introduction of family shopping. There is a sort of nostalgic loss. It would be nice to have kept, in a way, a common day of pause, but again that was based on the common day of pause that most of us had in the last century, when fundamentally the vast majority of people were of one particular religion.

I think what's important is that people are able to have a pause day with their families. It doesn't necessarily have to be a common day of pause. Quite frankly, what we find with Sunday shopping is that many families that go to church will make a day of it and go out after church, go to Sunday brunch somewhere in their community, and sometimes they'll visit a downtown or a mall that happens to be open in their town or city. Families are doing that and being together doing that.

Again, how is it for us in government to say that somehow a family shopping together is not a healthy and loving activity for a family to do? That's not my judgement to make. I don't see anything wrong when I take

my daughters out and we go shopping on whatever day it is. It's an activity that I'm doing with my family. So to make those old, I think puritanical judgements that "Thou shalt not shop on a Sunday" or "Thou shalt not shop on the day after Christmas," the day we affectionately call Boxing Day, I think is wrong. We have to move into the modern era and really get government off the backs of people and off the backs of retailers and say that obviously there is a basic code of behaviour that we stand for in this province and that our laws reflect that, but one of those codes of behaviour is not that we should be regulating when you shop or when you sell merchandise or services. I think those are the areas where we should be getting out of people's lives, cutting the red tape when it comes to that and freeing up society on those levels.

I know the government made a move. The previous two governments, one of which I was in, did not make the change that I applaud this government for, and that was extending to 2 am the hours one could enjoy alcoholic beverages in public. It's interesting enough that it wasn't until this weekend that I first had the opportunity to experience that, as I don't tend to find myself out after midnight or 1, but I did this weekend with the political convention. It was very nice and I thank the government. I was thinking in my mind that maybe we, the Liberal Party, should have applied for an exemption for us so that we could have had a beer maybe in the wee hours of the morning, because it was just about breakfast time when we heard those final results, as you all know.

We really have to get out of people's lives and this social engineering, how much we dictate people's behaviour, as long as obviously the very basic fundamentals are there, that we treat each other with respect, that we don't hurt each other. These are the fundamentals of all religion that we should be looking at, and not when you shop or when you work.

That is sort of my entrée into some of the safeguards we have to ensure are in this bill and are effective and continue to be effective as the government wants to move on to the Employment Standards Act and looking at that in the new year. That's something the Liberal caucus will be watching very carefully because we see in this bill that right now there is a protection — I hope it has some teeth in it for sure and that it's effective — that those who wish not to work on Boxing Day can stay home with their family and enjoy that day after Christmas, enjoy the stay with relatives who may have travelled from afar and may have another day off before they have to return to their homes, enjoy looking at their presents again and talking about Christmas and just catching up on family activities, especially nowadays when we find ourselves with family probably spread a lot farther across the country and sometimes into other countries, more so than we found years and years ago. Sure, those family days are very important. What's going to be very important for this bill is that the assurances are there that families can have the time if they wish to do so. Again, that applies to retailers.

It's very important, and as the member for Oakwood had said previously in the two-minute Q and A after the last speaker, it's also very important that retailers who wish to spend that day with their family, especially after

a very hectic shopping period — and I hope this year it is a hectic Christmas shopping month for retailers; we're not so sure that's going to happen, but I hope for the economy and for the people that they can afford the presents they want and that the retailers will benefit from that — that the retailers who wish to stay closed on Boxing Day can remain so and do so without penalty.

The problem is that those retailers who find themselves in malls or any other leasing arrangements where they are under conditions by the leaseholder, such as shopping centres and malls, sometimes are forced to open on days they no longer wish to be open. That sometimes is done because it's the policy of the mall to put all its advertising forward and say — take an example in my area, Timiskaming Square just outside of New Liskeard in Dymond township — “Sundays we are open from noon to 4” and all the stores would be open. They can pool their advertising and make sure that people know that those goods and services are available there. The pressure is certainly on the lessees to be open on those days, so it's very important that this protection be there.

The other area of concern is of course what I would say would be the inappropriate use of police resources. There's always the story on the supper news, on the evening news on Boxing Day, when people are maybe still full of eating turkey leftovers and are not moving too much and probably didn't watch news on Christmas Day. Then we start to watch the news on Boxing Day and there's the proverbial story of — usually it's done in Metro so our news crews don't have to go too far afield on holidays. There's a shot of two of Metro's finest going into one of the name department stores and laying some charges against the store. The store is full of people. There doesn't seem to be too many people out there really upset about this, but we force our police officers to enforce the law.

1630

It really is a law that probably is no longer enforceable, and it's my view and the government's view that it should no longer be enforceable. That's why it's time to live up to the reality of the day and not just say to the police department, giving a wink and a nod, like has happened in the past, “Well, listen, let's just not enforce it,” and not really live up to what the law is, that it's wrong and that we need to change it. I'm glad we're going to be changing this law and, as I said, the Liberal caucus will be voting for it.

You have to look at some of the pioneers who made this happen. Even though it looks like it's not a big social issue, this change does not come without great cost to many people. There have been retailers who have led the fight and have been dragged into court and have had a series of fines over the years. I can think of one particularly famous Toronto retailer, Paul Magder, who for years and years led the fight for freer legislation for retailers for Sunday and Boxing Day openings. It has cost him thousands and thousands of dollars and I believe eventually cost him his business, with all the fines that were against him.

So there were pioneers who led this fight, and while, as I said, it doesn't appear to be a fight of great social significance, of human rights or anything, it's still a fight

for people's freedom. Even with the downsides of it, that we hope will be protected so that people will not be forced to work or be forced to open up their stores, it is, in a way, a victory for people's freedom to exercise their rights on a day such as Boxing Day to shop if they wish.

Another interesting point, and why this legislation is necessary, is that because of the way the present law is written today, some communities have the ability to open on Boxing Day and some don't. Primarily, a good example of that is Metropolitan Toronto. Because of the tourism exemption that was originally in the law for Sunday shopping that Toronto had passed to allow the Eaton Centre to be designated as a tourist destination, as it certainly is — that could be attested by anyone over the years who visited the Eaton Centre or in that area of Toronto on a Sunday; way before Sunday shopping was across the board legalized, it certainly was — Metro has seen fit to declare all of Toronto, and I guess this is probably the city of Toronto, a tourism exemption so that stores in Toronto could legally open on Boxing Day.

Of course, what's interesting to note is that not all communities, because of the nature of those communities, are able to pass the criteria, to say: “Our particular community is a tourism destination. We pass the criteria, and therefore we would be able to open our stores on Sunday.”

The present law has given an advantage to main centres, such as the national capital in Ottawa, Toronto, where, without argument, people could say that these are major tourism centres in this province, where many of our smaller towns, while they're very beautiful and attractive to go visit, would not fulfil all the criteria that are in the act now as a tourism destination.

This bill, then, would bring some equity to all municipalities in the province, to all retailers across the province, so that they have the opportunity, if they wish, to open on Sunday.

As I said to the minister when he first made a statement in the House to introduce this bill and to give notice to the House that he was introducing this bill on that day, what I thought particularly interesting about the timing of this is that we're seeing a slump right now in retail sales. If this is going to help, this is certainly the year to legalize this, because our economy is in desperate need of opportunity for consumer transactions such as happen on Boxing Day.

I must say that the problem, of course, is that the tax cut did not generate the retail sales that the government had wished, that in turn would generate the tax revenues coming into the government, that the government sorely needs in order to fund government but particularly to fund the tax cut.

That has been a big problem for the government, so I think this has, particularly at this time, gotten this government's attention. At least if they legalized retail business on Boxing Day, it would give an extra incentive to retailers without the penalty of fines — and the fines have been substantial in the laws up to date — the opportunity to open and to try to recoup as much as they could from the very poor showing that retail sales have had over the last couple of months.

It's a big concern in my community. In fact, two days ago I learned that another 23 government employees — in this case they were part of the 720 Ministry of Transportation employees who were laid off across the province — were laid off from the New Liskeard district office situated in New Liskeard. That's 23 after another 20 previously who were laid off. While these numbers might sound, for many people, very small and trivial, 20, 30, 40 or 50 people in small communities such as mine are a great blow to the economy.

It's that type of job loss and the threat of job loss coming that has prevented people from opening up their purses and wallets. In fact, it's very interesting to note that the very opposite behaviour that we should be pursuing when there are times of recession or fear of job loss unfortunately happens. In order to make the economy boom, dollars have to be spent, but of course, when we are unemployed or see our neighbour unemployed and fear that we may lose our jobs, we start to save. We get worried. We're concerned that if we lose our job, there's not going to be any savings there to tide us over until unemployment insurance, if we qualify, will kick in or until we can find another job while all that's happening. So, people's wallets and purses tighten up during these times, which again exacerbates the economic problem of money not flowing through the economy.

It's particularly important at this time, with the tax cut there and the tax cut not generating the revenues and the government under pressure from the opposition not to be cutting any more. They are in a box of their own construction. I think it's a trap that they have built for themselves. I certainly hope, for the sake of the government of Ontario and the people of Ontario, that tax revenues will start to flow in to this government. I hope people in the new year do find employment and through that generate the tax revenue we need so that we can keep some basic government services in place for the people of Ontario.

Living in northern Ontario, I can obviously see the deterioration of services, and some very basic ones, that happen at this time of year. Relating back to the transportation ministry cuts, winter road maintenance is one of the very big fundamental issues that affect my area and the area of all my northern colleagues across all sides of this House. It is particularly important, as the government looks at its various expenditure reductions, that areas in public safety and security are not cut to the detriment of public safety and security. That is going to be paramount.

Again, relating to these cuts that have an effect on the economy and the reason why I think the government brought this bill forward to open up the shops on Boxing Day, it's just another reason why I say to the government that we've got to be careful with how you restructure. You're moving far too fast, you're displacing far too many people and, quite frankly, you're sending shock waves through the economy that we're seeing being expressed in the lack of consumer confidence; and that lack of consumer confidence is being expressed in an absence of dollars flowing through cash registers in the stores right across this province. This is a problem. This is a big problem for our retailers.

As one of my northern colleagues stated in the House today — he was listing the record number of bankruptcies in many of the northern communities across the north of this province. They're at record number today, and if we're to save these retailers so we can have the delivery of goods and services in our towns and cities right across this province, we have to make sure that the retail sector of this economy is sound and strong. We have to make sure that the economy is sound and strong. To be cutting back the billions of dollars a year that this government has done, with an announcement that's imminent of another \$3 billion in cuts to come, this hurts the economy. We have to remember that these dollars have to be borrowed to pay for this tax cut. The government is trying to reduce its borrowing, and that's why it's cutting even more, because they have to fund this tax cut. But there's \$3 billion that is going to come out of the Ontario economy again next year. That will send a second shock wave through the Ontario populace and people will stop spending again.

1640

I worry about that because I can see this record number of bankruptcies in the retail sector accelerating. I hope that doesn't happen and I hope people have enough confidence to feel they are going to keep their jobs, that they will be able to go out and buy the Christmas presents they want for their families and enjoy the little extras we all enjoy around the kitchen table and the dining room table over Christmastime. It's a wonderful, festive time of year. But it's kind of hard, with the Grinch that's stealing Christmas over there, to celebrate as joyously as we have in the past.

Again I say to the government that I caution you on the way you're going through these cuts. You are sending shock waves through the economy. The retail sector that you're trying to help here today, and I support you in that, is going to be particularly hard hit. It is feeling that pain now as people retrench their spending. It's doubly important that you re-examine these cuts, and certainly the tax cuts, because while you feel you're putting more money in people's pockets, in reality working people in the public sector, and some who have been affected by your government cuts in the private sector, have a lot fewer dollars in their purses and wallets today. They are not spending those dollars, and it's having a profound effect on this economy.

I say to the government I caution you on that, we've got to watch for this, but I think this bill is moving in the right direction. We just have to make sure that not only workers are protected in this bill, but when you reopen the Employment Standards Act next year it's doubly important that as we free up opportunities for people to work and the choice of retailers to open or not, that workers and retailers are protected so they have the ability not to work and not to open their stores when they want. That's very important.

It's a double-edged sword and we have to find the balance. As we move out of this social engineering mode we've been in probably the last 50 years in this country and bring more freedoms to individuals to express themselves in a safe and decent manner, it's important that the safeguards are there so the people are protected.

Mr Speaker, I realize that as we've split the time we will not have the questions and answers in between. I thank you very much for recognizing me. I know that my colleague from St Catharines is following my speech very closely in his office and that he will be down very shortly.

I remember when we went through this very same argument with Sunday shopping about five years ago. For any people who are afraid of what might happen when this law is passed — it's going to happen in a few weeks, and Boxing Day is declared a legal shopping holiday — I don't really think the world is going to change. I think the world will become just as safe and secure a place and that family values will not be eroded.

That was exactly what people had feared: that somehow, if shopping was legalized on Sundays, family values would be eroded and church attendance would decline. Studies subsequent to the opening of Sunday shopping have shown that's not the case at all. In fact, many of us who supported Sunday shopping at that time had seen, from studies done in different states that had Sunday shopping for many years, that church attendance had not eroded, that family activity on a Sunday had not eroded at all and that basically the world had not changed dramatically.

What it did for people who were very busy — and quite frankly what's interesting is that 20 years ago when we really saw the new surge of automation, we all predicted that "You know, by the late 1990s people are only going to be working 30 hours a week. With the automation we'll be working a lot less." What we've found is that actually we are working a lot more. For various reasons we are working harder and longer and of course that gives us less opportunity to accomplish those personal errands and chores when we have to go out and buy goods and services. So having that flexibility and that freedom over the whole weekend is very important.

Many of us I know in this business work on Saturdays. There are many people who work on Saturdays who cannot get out and do the normal things that some of us do, shopping and doing our grocery shopping and other things on Saturdays, so Sunday, whether we like it or not, is a day that we can avail ourselves of. We enjoy having that freedom of choice. We may or we may not shop on a Sunday, but at least it's there, if you cannot during the week accomplish your personal errands and chores.

It's the same with Boxing Day. For some, it may not be suitable, and I certainly personally do not have any plans to go out on Boxing Day and to shop. But quite frankly I believe that people in Ontario should have the freedom to do that.

The Deputy Speaker: The member for St Catharines.

Mr Bradley: And now for the other side of the story, or the rest of the story, I think is what Paul Harvey says. But in this case I just want to leave some thoughts with members on this with a perhaps slightly different viewpoint from the member for Timiskaming, and the rest of the Liberal caucus just about. I have consistently over the years — my friends in the caucus would say I pretended it was 1896, but it's really not the case — I opposed these wide-open Sundays and shopping on holidays and these kinds of laws. I was never one in favour of some of

the other initiatives the government in which I was involved was involved in, that is, in terms of these kinds of issues.

It's a difficult issue to wrestle with. The minister, the member for Leeds-Grenville, has been through many changes as well within his own party, from a time when the Conservative Party wouldn't contemplate at all shopping on Sunday to a point where they were for a wide-open Sunday, and other changes that have taken place over the years.

Times do change; however, I don't think principles should change. One of my concerns about this piece of legislation which is going to pass this House and probably will have some widespread support, or at least acquiescence, is that it removes an opportunity for a family day. I recognize that not everybody in Ontario is of the Christian faith or doesn't always recognize Christian holidays as their own holidays, but it has nevertheless become a holiday when people have gathered together. Even those who are not of the Christian faith and those who do not recognize Christmas as a specific religious holiday nevertheless have coalesced around family at that time of year.

Yes, there is Christmas Eve and there is Christmas Day for people to visit, but where there's a larger family or perhaps a situation where a young couple is visiting one set of in-laws one day and the other another day, it's nice to be able to do it all at one time and it's been a nice day. Sometimes as well people have Christmas Day as a family day and Boxing Day they reserve more for friends to get together with them, and I think we're removing this.

I thought it was a good move when we decided we'd close the stores on Boxing Day and that we would prosecute. You see, I think that there's just as much shopping to be done two days later as there is one day after Christmas. I've never understood this stampede to the stores for so-called bargains. The way it is now, a lot of the bargains are coming before Christmas and indeed through the whole week after Christmas or into January, when you'll see some special sales. Why, oh why, we have to have them exactly the next day I'll never know.

People will tell me, and the government is acquiescing to this, that this is a reality. The minister said had a survey that 79% of the people said they would shop if the stores were open on Boxing Day. Well, I would predict that 75% would shop no matter what day you talked about. There would be people shopping on Christmas if you'd let them shop on Christmas, probably not as much certainly, and I think of Labour Day and other holidays that we have. But the people who are left out are the people who are in these stores. So not only does it encourage people to break away from the family circumstance — and I know how many members of the government emphasized in their campaign literature that they were for family values; I know that they would be concerned about this, as they would with the video lottery terminals that are going to be in every bar, every restaurant on every street in every neighbourhood in Ontario. But this is yet another issue where we are taking away from those family values, if you will.

1650

That's the first argument that I make, that it detracts from the opportunity for people to gather together as family and friends in something other than the helter-skelter shopping that goes on. I heard the member for Mississauga South say, "Well, isn't this great? They can all shop together." If you go into the stores, I'm told, on that day, you would find out that it's worse than an NHL hockey game in the corners with the elbows flying so people can get the best bargains. This mentality of "Shop till you drop" I've never understood, but I guess retailers certainly like it very much, and I suspect that they would have the opportunity to shop the weekend after Christmas or during that week.

I'm really concerned about the people who must work in these stores, and the government is not being unkind about this; they're really trying to address it with the provisions in the act which say that people really don't have to work if they don't want to. Realistically speaking, that doesn't work. That's some protection, and perhaps even for very large stores there may be some protection, but where there are only a few people working in a store, half a dozen people or so and nobody wishes to work on that day, obviously somebody who doesn't want to work is going to work.

Is there an incentive? Yes, there's a premium to be paid, and once again that's to make it easier for those who either feel compelled to work on Boxing Day or genuinely want to work on Boxing Day and are prepared to sacrifice a holiday. Nevertheless, you're going to force people who don't want to work on that day to work on that day, and I suspect they are a lot larger in numbers than perhaps many would anticipate here. They simply are silent because they don't want to annoy their employers, particularly at a time when jobs are difficult to come by in Ontario and anywhere else in the country.

The thought that this creates more jobs I've always dismissed as nonsense. It's the same as Sunday shopping. They say, "If you have the stores open on Sunday, there will be more jobs." Well, there aren't more jobs. People have only so much money, and they're going to spend it in either six days of the week or seven days of the week, and they're going to spend it whether on Boxing Day the stores are open or not.

Where there is an argument, I suppose, is in border areas; if you're adjacent to Manitoba and they allowed it, if people really wanted to travel from Kenora to Manitoba for one day of shopping. I don't know how many would, but more in the Hull-Ottawa area, if the stores are open in Quebec, some people might hightail it across the border to do so.

I always thought people in Canada would do that in the United States, but I was watching a television program about the Thanksgiving weekend and apparently the day after Thanksgiving — they have a four-day weekend; they have Thanksgiving in the American country on the Thursday — and what I noted was that the day after that, the Friday, is their Boxing Day. In other words, that's considered to be their best retail day, the day after Thanksgiving, in the United States. I wasn't aware of that. I always thought that perhaps their Boxing Day was the same, but they don't really have a Boxing Day. I'm

sure they're happy to cater to Canadians the next day, and maybe in the border areas they would try to copy the kind of sales that might be on the other side of the border, but by and large I think this is totally unnecessary and it's an imposition on employees.

It's also an imposition on shop owners. I know that the government has tried to address this by putting a provision in this bill that says they will not be in violation of their lease no matter what the lease happens to say, and I think it's good that they put that in, I think that's helpful, but I really don't think it's as helpful as everyone believes. When that lease comes up to be renewed, those who are in a very successful mall, shopping area or shopping centre are going to put pressure on people to be open at the same time that all other stores are open. Also there's the peer pressure of the other stores being open.

So we have families and friends who are adversely impacted by this, we have employees of the retail outlets who are adversely impacted and we have some store owners who don't want to be open but obviously will feel somehow that they must be open.

This is a long way from the old Tories I remember in this House who years ago had a different viewpoint in these matters. Some of the people in the rural areas, they tell me, are particularly annoyed with these provisions. I guess in the large urban areas such as Toronto you have some people who kind of accept it because Toronto is a huge tourist city and it's going to be open anyway. But I am told that in some towns the people would prefer to have the stores closed, and open on the 27th, and have the family or friends together for both the 25th and 26th.

All the surveys out there are interesting, but it depends on how you ask the question. If you ask people if they want to shop on Labour Day or Christmas, some people are going to say that yes, they would on those days, instead of keeping ourselves together and having a day of pause.

I'm not going to go on at great length on this because it's probably got a pretty good consensus in this Legislature that it's going to pass. I think those, though, who are opposed deserve to have their views put forward in the House. They happen to coincide with my views, so I will not be voting in favour of this bill. I suppose when I say I'm not voting in favour, that means when you call the vote I will not be here to vote in favour of the bill, so that's the way that will be.

I'm sure some of my colleagues will be here to vote for it. It's one where I wish there were a free vote, but there isn't, and the world doesn't end without free votes in these matters. But I happen to have that view, as I do on Sunday shopping. If I had my way, we wouldn't have Sunday shopping either except in special circumstances. I wouldn't have the large malls and large retail outlets open on a Sunday either, but we have it and it's much harder to reverse that.

The argument I make with a lot of these pieces of legislation which ease the laws is that it's very difficult, once you've eased them, to tighten them up again. If you say now, "We're going to end Sunday shopping," you probably would get a good deal of opposition. But when it first happened, a lot of people out there asked us to take a stand against it. I know that some people like it,

and some people say to me, "Who do you think you are, telling me when I can shop and when I can't?" I understand those arguments and I respect them, but I also thought that was a good family day. On Sunday we didn't have to be running helter-skelter out to the malls and shopping centres. You had your small retail outlets open for convenience's sake, and I understood that. That violates the principle, but I understood that.

I thought all those people had to work on Sundays when they could have the family together at one time, and that's why I always found that to be unacceptable. Churches used to be very vocal on this matter. I think many of them, if given their choice, would still have our large retail stores closed on Sunday. There is a bit of a difference in that most of them are open from about 12 o'clock to 5 o'clock or 1 o'clock to 4 o'clock or something of that nature.

I think they found out that Sunday shopping didn't increase sales for them. I suspect that the total increase in sales as a result of opening on Boxing Day will be minimum. Yes, that will be a great day, a huge day for sales, but if you had it on the 27th, I suspect it would be just as big a day in terms of shopping. But you've taken away a holiday for people.

1700

I'd like to figure out if this has something to do with the tax cut. Some members don't think it has, but maybe the member from Riverside thinks that they believe they're going to get more retail sales tax in by having the stores open on Boxing Day and that perhaps one of the motivating factors in having the government bring forward this legislation is its bizarre tax scheme. I was trying to figure out how I could fit that into this, but now I've figured out how it is. So when I'm looking at, why does a government that you wouldn't expect to make changes like this make this change, it makes me think that they know they've got to borrow \$5 billion a year for the tax cut, the tax cut which benefits the richest people in our society the most. I see the Royal Bank made unprecedented profits while it was casting employees to the sideline, as did some other banks out there. There were certainly others that have made increased profits and have cast people aside.

When I look at this circumstance, I say that maybe one of the motivating factors was the tax cut, just as I believe that the major motivating factor for bringing in video lottery terminals in every bar, every restaurant, every street and every neighbourhood in Ontario was because of the revenue this government has lost in terms of the tax cut.

Mr David S. Cooke (Windsor-Riverside): There's enough new revenue to pay for 27 MPPs.

Mr Bradley: Enough new revenue, the member says, to pay for 27 new MPPs. That's possible. I'm looking at all the possible reasons. I talked to Dr Joseph Kushner of Brock University, a small-c conservative economist, a member of St Catharines city council for 20 years, who moved the motion at city council that asked the government not to proceed with the tax cut. You won't find a more small-c conservative economist than Joe Kushner, but Joe understood very well what a lot of people don't, and that is that you have to borrow the \$5 billion a year

to pay for the tax cut and you have to pay interest on that and therefore you increase the debt each year. He can't understand, as I can't understand, as most people can't understand, why you're doing it. I happen to think that's one of the reasons — not the only reason — you acquiesced to this piece of legislation, because you thought you might get increased retail sales and you might not have to borrow as much money as contemplated to pay for your tax cut for the richest people in our society. There's how I related it to the tax cut. I know you wanted to do that.

Interjection.

Mr Bradley: The member for Rexdale wants to know how I would get Conrad Black into this. I'm wondering how those newspapers will cover it. The Pelham Herald, the Speaker will want to know, apparently has been saved. Even Conrad Black, or his people beneath him, who work for him, have listened and have decided to keep the Pelham Herald open. There was an insurrection when they were going to close this newspaper, which was making money and had a big tradition.

Mr Bill Murdoch (Grey-Owen Sound): You said you were not going to talk too long.

Mr Bradley: The member for Grey-Owen Sound interjects. I say that so he can send the Hansard home and people will see that he was here. I'm wondering what they would be saying in many of those towns in Grey county about the opening on Boxing Day, because I suspect many of them would be opposed.

Mr Cooke: Was Bill consulted on this?

Mr Bradley: I wonder if Bill was consulted on this. I think he's a person worth consulting on that side, because he often has a view different from the government.

By the way, I should mention — I don't know how many members of this House know this — that Hansard is no longer going to be available to the general public except if you're rich enough to own a computer and be on the Internet. I did not know that. Somebody who gets Hansard, who reads the interjections from the member for Etobicoke-Rexdale with great amusement and delight, told me today. Apparently, as a cost-cutting measure, democracy will suffer again. It again fits Ontario, because in Ontario of 1996 and beyond there's one rule for the rich and the privileged and one rule for the rest. If you can afford a computer and if you can afford to be hooked up to the Internet — and I don't have a computer, and I'm not hooked up to the Internet at my house —

Interjections.

The Acting Speaker (Ms Marilyn Churley): Order, please.

Interjection: How many people read Hansard now?

Mr Bradley: Since you people have been in power, everybody wants Hansard now.

I am deeply disappointed that this is happening, and I think there should be an investigation at the Board of Internal Economy, and since the member for Beaches-Woodbine enjoys her time at the board —

Ms Frances Lankin (Beaches-Woodbine): I'm not on it.

Mr Bradley: Oh, you're not on it any more?

Ms Lankin: I never was.

Mr Bradley: I thought you — oh, I see; the member for Algoma. The whip will tell the member for Algoma that this matter is extremely important and should be brought to the attention of the Board of Internal Economy because this is indeed a travesty of democracy. I like that word.

Ms Lankin: Why don't you get your House leader to tell your whip?

Mr Bradley: House leader; oh, yes, that guy. I will also inform the Liberal whip of that. Those who haven't served on the Board of Internal Economy should know that it's an absolute delight.

Interjections.

Mr Bradley: On the Board of Internal Economy, that is correct.

Anyway, I will be sending this out to thousands of people, this speech on this, many of them who voted for you, indicating what your government thinks of family values, and of course what the Liberal caucus thinks of family values, and what you think of employees and their plight and store owners and their plight.

Will the world end if this bill passes? It will not. Are there more important pieces of legislation to debate in this House? Assuredly so. But I did want to put on record my views on this important matter, and I did want to indicate to you that I would not be voting in favour of this particular legislation. Although, as I say, others have been persuaded of its wisdom, I remain true to my principles on this and so many other matters.

The Acting Speaker: Questions or comments?

Ms Lankin: I want to take a moment to respond to the member for St Catharines, but I have to tell you I think I've responded to this speech before. It's a bit of a *déjà vu* I'm going through, I'm not sure why.

I want to say that I disagree with you on this one point, and only this time, that I really do not see that this particular bill is related to that silly, phoney, bizarre tax scheme of the government. This one is related to a court challenge. They've been forced to do this. But virtually everything else they're doing is related to that phoney, bizarre tax scheme. So I think you're right in general.

I actually enjoyed your comments, and I share some of your hesitations about yet again another move in this direction, as I did in government when we took the steps to approve Sunday shopping, which was becoming a widespread practice at that time. It felt to someone like me like it was a train coming down the track and there was just no way to stop it.

Speaker, your colleague who spoke earlier talked about a sense of nostalgia and a nostalgic loss of the time when Sunday was a quiet day, when holidays were quiet times, when there wasn't the same pace. Particularly living in urban Ontario as I do, there's a pace and speed to life that I just would like to see slow down sometimes.

While I will support this because I think, in light of court rulings, it makes sense, I find it a sad moment as we see yet another way of life passing. But that's life, right? Things change, and here we are.

The one comment I would like to add to this debate, however, is that as you pass this legislation and you give the protection to workers under the Employment Standards Act, which I support wholeheartedly, their choice

to work or not, I wonder how long that protection will be worth anything. As I see your government's continuous attack on working people, as I see you propose changes to the Employment Standards Act which will gut its ability to protect people, I wonder how much this protection is really worth.

The Acting Speaker: Further questions or comments?

Mr John Hastings (Etobicoke-Rexdale): It's very interesting to listen to the remarks from the member for St Catharines in terms of the nostalgia that he brings back in terms of years and decades past, particularly when you think of rural Ontario and some of the smaller communities which probably have some reluctance in terms of seeing their Sundays not as quiet as they used to be. But I think there are significant benefits to this particular piece of legislation. One of the ones that is most important for the opening of Boxing Day for retail shoppers and for all those folks who have the syndrome of "Shop till you drop," which I don't understand either in some instances, but they ought to have the freedom to do so.

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The significant benefit, in my estimation, is that there are a number of young people who are working in part-time jobs in retail, in the electronics stores, in some of the upscale and more nostalgic-type retail clothing shops, who require this sort of income for their university or community college or adult learning education, and it's vital that they have that sort of income for that particular day, for in the Employment Standards Act, there is time and a half, if not more, which this government will protect. I want to remind the member for Beaches-Woodbine that that will be protected and has always been protected in legislation. This government has no intention of going about doing what you are implying or in a roundabout way indicating will be done.

The Acting Speaker: The member's time has expired. Further questions or comments? The member for — sorry.

Mr Bradley: St Catharines-Brock.

The Acting Speaker: St Catharines-Brock.

Mr Tom Froese (St Catharines-Brock): It may be St Catharines next time under the new boundary changes, but right now it's St Catharines-Brock.

The member for St Catharines is quite right that there is a lot of diverse opinion with respect to this issue. In our caucus, like the opposition caucuses, I'm sure there's been a lot of debate. I've received a number of calls in my constituency office from workers from small businesses who are concerned that they will be forced to work. I can certainly appreciate their opinion and that point of view, and we've had some discussions with them.

I come from a strong family, religious and spiritual background. When we talk about these issues, we do deal with those family values. The member alluded to the community and the churches, what they thought of issues like that, and I agree with the member for St Catharines. If it was my choice, I, as well, wouldn't have any Sunday shopping and I would have all family time. But that's not the real world. I'm finding now that on Sunday I do shopping and I go to restaurants as well.

My wife was home for 17 years raising our four children. She went back into the workforce. She now works, because of the type of employment she's in, Tuesday to Saturday, so it takes away from our family time. I really believe that families have to deal with that situation in this day and age. What I really appreciate about the bill is that the employees will have the choice of whether to work or not. I think that's extremely important. They have the right to refuse to work.

Mr Bradley: I appreciate the remarks from other members, and I think everybody can see that I don't see some evil plot on the part of the government in this bill. I know they're facing a court ruling which is compelling them to take certain action. I know the difficulty of administering this law and using up police resources. The police officers who would normally be putting tickets on vehicles that are parked on side streets had to get away from that and go in and give tickets to those who are holding their stores open, so I understand that to be a problem — or carrying out other responsibilities officers might have.

The member for Rexdale, I must say, has a very colourful tie on, and I want to compliment him on that.

The member for Beaches-Woodbine made a very good point when she said that you have to look at legislation in the context of everything else the government is doing. A lot of employees now, particularly those who are not protected by a large and strong union, are feeling very apprehensive, very concerned, very much under the gun. I know there's always a balance that you want to have. You don't want the employer to be in a position where there's no flexibility at all. On the other hand, the pendulum has swung considerably the other way.

The other day, I guess yesterday, in the House there was some talk of taking away further rights from people who worked for boards of education and things of that nature. That tends to make them apprehensive. All the privatization that takes place is making employees apprehensive. I don't think this legislation will really solve it. It'll go partway, and that's fine, but it won't really solve it.

The member for St Catharines-Brock and I have both received those telephone calls. If we had our wishes we wouldn't be passing this legislation, but obviously it is going to pass and the courts have certainly said it should pass.

Mr Christopherson: I appreciate the opportunity to join the debate on Bill 95. I'm going to talk about a number of things the minister raised in his comments. While the bill would seem relatively innocuous for those of us who will support it, based on the fact that the courts have already determined this — this is not a huge deal in and of itself — there are significant references to the Employment Standards Act. In fact, of the six sections that are in this bill, one or maybe two refer to it, but certainly the one that does is the largest section in the entire bill. So a lot of my comments are going to relate to the Employment Standards Act and to other matters the minister raised.

It's interesting that when the minister made his opening comments he talked about the fact that this was an economic issue, he talked about it being a bit of police

issue, he talked about it being an important part of their overall intent to try to create and stimulate jobs — I'm paraphrasing, of course — but those were the issues he raised. When he did that he made the comment that he felt this, I believe he said like other pieces of legislation, provides the balance this government feels is necessary between workers and their rights and business and their rights. Nothing could be further from the truth.

The fact of the matter is that if you look at the changes this government has made to the Employment Standards Act, the changes they are about to make in Bill 99 under WCB, the changes they've made under Bill 7, all the changes they've made to date take away from that balance, take away from workers, take away from unions, take away from any part of the equation that doesn't relate directly to the needs of their corporate friends, and that's not to say there aren't issues that we need to deal with on the corporate side of things.

There needs to be a vibrant economy, there needs to be wealth generated so we can go on having the kind of province we've had in this part of the country, but this government refuses to accept that there is another part of the equation because that's the only part of it they care about. If that means that along the way vulnerable workers get sideswiped off the road to prosperity and pushed into the ditch, that's tough; that's the way it goes when you're doing business. The problem with those of us, as they see it, who don't support that kind of thinking, is, "You just don't understand." They do all but reach over and pat us on the head and say, "You poor misguided souls, you just don't understand what's necessary here."

The fact is — well, I see one of the backbenchers raising his hands, doing this — I think I'm truly reflecting the way some of them view the differences in our philosophies. But again, which they're very good at, that's very shortsighted. That's not what our arguments have been about. That's not why we so strongly opposed your changes to the Employment Standards Act.

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To relate directly to what we're speaking about today, one of the things Bill 95 does is to make sure that the rights workers have to refuse work on the days listed in section 50.2 of the ESA are enforced and continue on for Boxing Day. But just four days ago the government's new Employment Standards Act took effect, and one of the things Bill 49 does, the new Employment Standards Act, your law for which you're going to have to take responsibility as we see thousands and thousands of workers hurt by that law, is that it says workers can no longer go to the Ministry of Labour to have their rights enforced under the Employment Standards Act if you happen to belong to a union.

One of their favourite targets is the labour movement: "Go after the unions." We saw it in question period today. Anything at all that paints the unions as the big problem in terms of the economy, they're all for. This law, the law you passed that took effect four days ago and has a direct bearing on Bill 95, which we're talking about today, stipulates that unionized workers can no longer avail themselves of the Ministry of Labour to have enforced the absolute rights they have under the Employ-

ment Standards Act. They no longer have that right. The union in that workplace now has to take responsibility for and pay the cost of enforcing the Employment Standards Act.

There was a time, not that long ago in the history of Ontario, when it was felt that workplace standards, particularly where they relate to health and safety, to hours of work, quality of life, were so paramount, so sacrosanct, that the ministry itself took responsibility to enforce those laws. They took the responsibility to ensure that if there was a complaint and someone's rights were being violated, union or non-union — there was no discrimination, before — the Ministry of Labour was responsible to ensure that the worker's rights were enforced. For the first time in the history of Ontario that concept has been shattered by this government, because you've said: "If you have the audacity and the nerve and the temerity and the effrontery to join a union, then you can damn well only have the union defend your rights in the Employment Standards Act. You can't go to the Ministry of Labour any more. Don't bother to come knocking. We're not answering."

The fact of the matter is that unions under Mike Harris's government — unions, by the way, that were created through the democratic vote of working people either to choose or not choose a union and then to choose the union of their choice — now have to spend their money, their dues, defending something they didn't have to do. Gee, where have we heard that concept before? It sounds a bit like user fees, which we of course see being introduced in every facet of public service, something this government said it wouldn't do, but they hide behind copayments. But in this case there is no hiding. The fact of the matter is that union members' dues now have to go to pay for a service that before four days ago was paid for by the Ministry of Labour, and rightly so, the NDP would contend. Absolutely.

Interjection.

Mr Christopherson: I would point out to the member in the back bench of the Tories who just went, "Oh," so did previous Tory governments used to believe in that concept. It's only this weird Reform-a-Tory kind of neo-con, right-wing, Mike Harris crowd that thinks differently. This has got nothing to do with the history of the Progressive Conservative Party that we've seen in power for four decades prior to the mid-1980s. You've decided that you're going to discriminate between who gets to have their rights enforced and who doesn't, and those who don't, "You've got to pay the cost; you've got to pay the freight." And I would point out that we're not talking insignificant money.

Whereas right now, if there's a right under the Employment Standards Act being violated, if you've been forced to work on a stat holiday that you didn't have to, a complaint was made. The ministry had the infrastructure, before you got rid of all the employment standards officers, which does relate very directly to the 30% tax cut because you laid them off so you'd find your share in the Ministry of Labour to pay for your part of the tax cut. That's why that was done. But before that, an inspector would be brought out to the site. They would have the power to place an order to cease and desist and to pay

compensation, and being a government official, they carried a lot of clout. Most employers aren't keen to see employment standards officers marching through their front doors because they've had a complaint.

That's not what's going to happen any more. Now what will happen is that the grievance procedure is the only mechanism available for that worker, and if we get into an arbitration case, we're talking big bucks. Where it went from one inspector having the power to make a decision, place an order and make things whole again, correct things, we now are into the grievance procedure and in many cases we're going to end up in arbitration. Boy, do we walk through an expensive doorway when we walk through the door of grievance arbitration, because right off the bat you're looking at anywhere between \$2,500 and \$3,500 a day for an arbitrator.

All of this that I'm speaking of are matters that were once handled by the Ministry of Labour. That doesn't happen any more. That union member is paying to have a matter grieved and arbitrated that, prior to December 1, was taken care of by the Ministry of Labour. They have to pay that cost now. And this government says, "No, no, there won't be any user fees." I don't know how you can possibly say that's not a user fee. Of course it is.

It's also discriminatory, because you've said that if it's a non-union worker, yes, they can go ahead and use the Ministry of Labour, but if you belong to a union, that hated target of this government, you have to pay the cost, your union dues have to do that. If a union is going to provide the service they want, with these added costs they're probably going to have to look at a dues increase or at not providing other services they provide for those union dues.

And this is the government of non-intervention. This is the government of laissez-faire that says, "Just leave things alone, don't get involved, stay away." But it's okay if it's the labour movement: Just charge right in there, because they're the enemy. It's okay to go after them, but boy, don't talk about getting in the way of business.

I'll say that I think an awful lot of business people out there have a big shock coming when they find out they are going to be paying half the cost of enforcing the Employment Standards Act. You see, under the vast majority of collective agreements the cost of arbitration, that \$3,000 or \$3,500 a day — and some cases can go on for weeks — is paid 50% by the employer. An awful lot of employers out there thought Bill 49 was great because it took away all these rights out of the Employment Standards Act and really gave them lots of power, but at the end of the day it's going to cost them money. It's going to cost them big money.

That's the new law to which this government refers when they put Bill 95 on the floor of this Legislature. That same law, which this bill amends, the Employment Standards Act as it exists now in the province, thanks to Mike Harris, also denies a worker the right to use the Ministry of Labour if they've been forced to work on Boxing Day. If they want to make a claim and they don't have a union, they had better hope, because that's all we can do now, that the government doesn't put the new minimum standard that the Employment Standards Act

provides, the minimum threshold for a claim, too high. If they do, they are completely out of luck.

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If you're making minimum wage and this government says, under the new powers they gave themselves, "You have to have a claim of more than \$200 or we won't take the claim," where do they go? Where do they go? If they've been forced to work on Boxing Day — and this bill says they now have the right to refuse to work on that day and that that right is enforced through the Employment Standards Act. But the new Employment Standards Act, you see, now says to the cabinet, "You can set, wherever you want, this minimum standard." It gave them the power to do that by regulation. None of you backbenchers, whom I'm looking at right now, knows what that dollar amount is, because they haven't made that decision or at least they won't tell anybody outside the cabinet room.

That didn't exist before. That did not exist. There was not minimum. If you were ripped off for \$25 or \$50 and you're a minimum-wage worker, that means a lot to you, especially at Christmastime. You had the right, in law, to have the employment standards office within the Ministry of Labour come into your workplace and get you your money back and make the company stop. Under the new law that now exists, thanks to Mike Harris, proclaimed four days ago, if your cabinet sets the bar at \$200 and you're a minimum-wage worker, you don't have that right. It doesn't exist.

Do you know what the answer was when we raised this issue with the Minister of Labour and the parliamentary secretary when we finally got them out to public hearings, and what their answer was when we asked the question here in the House? "Oh, you could take the company to court." They're telling this to a minimum-wage worker who, if he or she has been forced to work on a statutory holiday, probably works for a bad boss, someone who violates all kinds of other laws. There's no union, no ability to go to the Ministry of Labour, no ability to go to legal aid because you cut that off too. They can't go to legal aid. They're all on their own, and if it's \$50 you're owed, it costs you more than that to file the papers in court. That's legalized theft.

That worker had 50 bucks taken away from them that they worked for, that they earned, that they deserved, and they can't get it back. You took away the laws that let them get that money back, and then your minister today, like your Minister of Labour, has the absolute audacity to stand up and talk about fairness and balance.

How do you justify that to a worker who's barely surviving on minimum wage, which you also refuse to consider raising? We know the Americans have already got a higher minimum wage than us. How do you justify that? How do you justify doing that to the most vulnerable in our society, saying to that worker: "If your boss beat you for 50 bucks, too bad. It's gone."

These are workers who are probably already harassed. We're not talking about the majority of cases, and certainly we're not talking about where there are unions in place. We are, though, talking about tens of thousands of workers who don't have a union, who don't have a good employer. They've got the worst of the lot, and

that's what the law is there for: to protect workers from people like that, from predators like that, because unfortunately they do exist. If any one of us could snap our fingers and make them disappear, I think we all would. I believe even the Tory backbenchers would do that. I believe that.

But I also believe very firmly that you have denied those vulnerable workers any access to justice. It's not because of something you refuse to do. This is not some new idea, some brand-new panacea from on far that if we did, someone argues, would be wonderful; that right was already there. It was there before. You took it away. You took it away by passing your amendments to the Employment Standards Act. That's what you did. You did it by denying those workers the right to go to legal aid and get assistance, and you knew it.

That's the thing: You can never say you didn't know, because after you delayed and delayed, in terms of us demanding province-wide public hearings — remember, Bill 49 was only a housekeeping bill; the issue that I just spoke of your government defined as housekeeping. How disgraceful. How disrespectful of another Ontarian, to say to them that losing that right is a housekeeping matter. But that's what your government said, and we had to fight you to get into province-wide public hearings.

Mr Peter L. Preston (Brant-Haldimand): That's a stretch.

Mr Christopherson: I hear one of the backbenchers — I forget from where; he's one of the usual cacklers. Where's he from? Brant-Haldimand. There you go. The member from Brant-Haldimand says it's a stretch. No, it's not a stretch, because if you would take the time — it's not that long; I'm sure you could get through it in the next hour or so — if you take a look at it, this bill amends the Employment Standards Act. It would make a great deal of sense to me that suggesting that changes you made to the bill that this law amends is very much in order and we ought to be talking about it here, and I am damn well going to talk about it here, because it is not a minor matter, but that's what you said.

Now, is that the end of it? No, oh no. That's not the end of it. What else has the government done? Well, they've said that you can't go back two years, which the law said before. If you've been ripped off by your employer, if you've been forced to work stat holidays, overtime that you shouldn't, other rights that are protected in the Employment Standards Act or at least used to be protected, you can't go back two years anymore. Oh, no. You can only go back six months.

Now, the argument from the government at the time was, "Well, we want to make sure that these claims are filed while the trail is hot." You know, I'm not sure; I think they've been reading too many Sherlock Holmes books when they talk about hot trails, and maybe the Minister of Labour with one of those double-beaked hats and the magnifying glass and the cape, going out and tracing down these bad bosses, I don't know.

But the fact of the matter is that an awful lot of workers, in fact 90% of all workers, file their claims in terms of the Employment Standards Act after they've left the employment of the bad boss. Why? Because they're afraid to go to the Ministry of Labour and call in the

officials. What do you think their life is going to be like after they've done that, blown the whistle, called in the officials? You don't need too vivid an imagination. Again, we're talking about horrible workplaces and horrible people to work for. You don't have to think too far to realize that them calling in the Ministry of Labour for an employment standards complaint is not exactly going to get them a promotion at work. They're afraid.

The law said that after you've left — and that's when 90% of them are filed — you can go back two years. Arguably, it should be longer than that. If you're owed the money, you're owed the money. But the law at least said two years, because you don't need to be afraid anymore. Usually a worker will wait until they've got new employment and they're secure. Let's admit, if you're a minimum-wage worker, you probably don't have a lot of skills and you probably don't have a lot of options. It's very difficult to find another job, particularly in the Mike Harris economy. Now, once they've found that job, once they've found it, they then can make the claim.

1740

Ms Lankin: On a point of order, Madam Speaker: I don't believe there is a quorum listening to this important debate.

The Acting Speaker: Is there a quorum?

Clerk Assistant and Clerk of Committees (Ms Deborah Deller): A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk Assistant and Clerk of Committees: A quorum is now present, Speaker.

The Acting Speaker: The member for Hamilton Centre.

Mr Christopherson: While we were doing the count, members asked how one can scream out so loudly for so long. The fact of the matter is that when one thinks about what you've done to people, it's really not hard to work up a real passion. It's not hard at all, when one takes a look at what you've done to injured workers and what you've done to the most vulnerable and what you continue to do day after day. It's not hard to get worked up when one firmly believes that you don't care about these people as long as you can get through your corporate agenda and pay for your 30% tax cut. That's how I can stand on my feet and be so loud for so long. Why don't you try a little bit of caring and a little bit of passion? That might do some good for those people you're hurting out there.

I was speaking of the two years and the fact that workers, before your law, had the right to go back two years.

Mr Froese: Be fair.

Mr Christopherson: One of the members says, "Be fair." I am being fair. The problem is that there's so little fairness in the new Employment Standards Act that it doesn't seem easy to make a 50-50 case. I assure you I am being fair. I could be unfair and not talk about the facts of the law, but for your sake and for the sake of truth, I am speaking about the law. If you can stand up when I'm done and point out where I'm wrong, I'll stand up and admit I was. But until then, I think you'd better respect the fact that this kind of unfairness is what you're doing to people. That is the reality.

They did have the right to go back two years. That would have included statutory holidays and overtime. They can't do that any more; it's only six months. The protection you're giving in this bill by referring to the rights in the Employment Standards Act, having now changed the Employment Standards Act — if it's not enough money you can't file a claim at all, and if it's after six months you can't claim it. Never mind whether you believe the right to refuse will work on a day-to-day basis; the fact is that you've removed the legal underpinnings that allowed people to enforce their rights under the law. As I mentioned earlier, you can't say you didn't know, because when we went out across the province this issue came up in every community we were in. I want to tell you, there weren't very many people on your side of the argument.

When the subcommittee met — you have your share of people you can invite to come in and present your perspective and defend your position, and so can the opposition parties — you couldn't even drum up a fraction of the spots that were available. Why? Because you had put your supporters in an impossible position. You had said to your supporters, "Please come out and defend the fact that we've said Bill 49, the changes to the Employment Standards Act, doesn't really take away any rights and that it is just housekeeping." That's what you asked of your friends.

Well, one thing I've never accused your friends of being is stupid, and that's certainly the case here. In fact, some of those you brought out, when the question was put, and it's there in the Hansard, admitted that, yes, in their opinion there were rights being taken away in the Employment Standards Act. Again, that's a bill that you said was a minor housekeeping bill not worthy of public hearings, not worthy of going out and listening to what people have to say about the rights you are taking away.

On the other end of the spectrum, you also said anybody who's been beat for more than \$10,000 must be a rich executive anyway; that's the only way you could be out \$10,000. We heard in every community that we went to that that's not the case, that the vast majority of those claims are ordinary working people who, for various reasons, over a two-year period were owed the \$10,000. The reason I raise this is that your new law, your new Employment Standards Act, says that if you've been ripped off for more than \$10,000, "Don't come calling to the Ministry of Labour to have your rights enforced." You outlawed it.

And what was your answer again? "Go to the courts." The irony of that answer, in addition to the insult, is that their own Attorney General, every opportunity he gets, likes to get up on his hind legs and talk about the overcrowding problem he has in the court system and how it's all so backed up that he's got to do horrible things inside the Attorney General's ministry because he's got to clean out all the backlog, while his colleague who sits four seats over says, "Don't worry about the rights that we used to do in the Ministry of Labour; you can take them to court."

It doesn't make any kind of sense. It doesn't even make any kind of common sense, which is why they get so upset when I tend to raise my voice. They would

prefer first of all that these things not be said at all, and second, if they're going to be said, they would rather they be mumbled and jumbled and not be very clear, because they can't defend those issues when they're put to them that way.

Mr Murdoch: No, we're not upset when you raise your voice.

Mr Christopherson: The member for Grey-Owen Sound says he's not upset when I raise my voice. I'm going to refer to that the next time they do, Bill. I'll say, "Bill said it's okay for me to raise my voice." I would assume that you'd understand that one would be angry about what this government has done to vulnerable workers and injured workers. To your credit, there have been occasions when you've expressed a difference, and I suspect you're paying a price for that in caucus. It certainly creates a certain amount of respect for the fact that on these kinds of issues and a few others, even where I didn't even agree with you in terms of the position you took, you were prepared to take one that was your position, yours alone, even when it went against your government. Obviously, some of the issues that I'm raising today are among them, and I can see why.

But that's not the end of the story. I wish it were. It's bad enough, it's horrific enough, but it's not the end of the story. The government, when it introduced Bill 49, also had a clause in there that talked about flexible standards. That was going to allow employers to negotiate out of collective agreements the standards that used to have to at least reach the Employment Standards Act. You couldn't in the history of the province go below that standard, the level of protection in there. That clause would have allowed collective agreements to contain standards below the great protection that this government talks about when they refer to the Employment Standards Act, which of course no longer exists because you've gutted the Employment Standards Act and the people who enforce it.

That same bill, which contained this clause and the other clauses I've talked about — bear in mind, every issue I've raised so far in terms of rights that have been taken away are all part of the law today of Mike Harris's new Employment Standards Act, the act that Bill 95 refers to with such confidence. That was the bill they said was only housekeeping, that they didn't need public hearings on because there were no big issues there, nothing anybody really needed to worry about. Minor little housekeeping, that's all that was.

Well, after we kicked up such a fuss in this place, which the NDP did — we put up one hell of a stink, because we said: "This isn't just housekeeping. You're taking away rights from workers." The labour movement and people who represent non-unionized workers and people who represent new Canadians and people who represent women and children and families all raised such a stink out in the public, in community after community right across Ontario, that the government finally caved in. They caved in and said: "All right. We give. We can't defend not having public hearings, so we will have them." And on the first day of those hearings, one of the first utterances out of the minister was, "I'm pulling back that part of Bill 49."

1750

Had we not raised the stink we did and forced the government into province-wide public hearings, the law today would have already contained those flexible standards which are so detrimental to collective bargaining and so detrimental to the rights of working people, which would have eliminated the concept of a floor in terms of the basic rights that all workers in this province are entitled to. It was withdrawn because you couldn't defend it as housekeeping. It's only a shame that the minister didn't have enough compassion to recognize or admit, perhaps, that the rest of Bill 49 also was indefensible in terms of saying it's just housekeeping.

Another one of the ironies is that parts of the bill were housekeeping. Parts of the bill clarified a couple of matters around parental leave that needed to be cleared up. Most arbitrators were helpful in making rulings that reflected the intent of the law, but it deserved to be cleaned up. And other parts of that bill really were housekeeping, that changed a few numbers, referred to other laws in a way that was consistent with the reality.

But you tried to put over all these other things as being housekeeping, and that's what so incensed us. It was the insult of saying to vulnerable workers that the changes to this workers' bill of rights, which is the way the Employment Standards Act is viewed, are only minor and housekeeping and don't have any significant impact on anyone. How insulting.

The other thing about the flexible standards, unfortunately, in terms of the Employment Standards Act, is that that monster is not yet entirely slain. The government is taking a year to review the Employment Standards Act further. O joyous news for all those who don't have unions to protect you: The government's going to review the Employment Standards Act again. You can imagine what's coming. If this was housekeeping, and they've now said they want to take a year to seriously review the Employment Standards Act, guess what next Christmas is going to look like in terms of the rights of workers to have some decent legislation that defends their rights and makes sure they have a decent standard of living and quality of life when they're at work. The minister has said that the flexible standards are going to be part of that review. To every other question we ask in terms of rights contained in the Employment Standards Act, all we get is: "Don't worry. It'll be part of the review. We'll look at it later. We haven't made any decisions."

We haven't seen the discussion paper, by the way. The other good thing about the province-wide public hearings on the Employment Standards Act was that we showed the government that people are paying attention. I think that's why they're so far off their timetable in terms of bringing out the discussion paper on the Employment Standards Act. That's why they were off their timetable on WCB, because they've realized that although they got away with ramming Bill 7 through with no province-wide hearings, no public hearings at all, rammed it through in one month, the bill that gave us scabs again in the province of Ontario, they can't get away with that in terms of the Employment Standards Act. But that one-year review is coming. That one-year review of the Employment Standards Act is coming.

Mr Steve Gilchrist (Scarborough East): I want to know where you stand on this. Let's talk about the bill.

Mr Christopherson: One of the backbenchers over there — where the heck's he from? I've got to learn your ridings. Scarborough East. He talks about relating to the bill: "Talk to the bill." You'd like for us not to talk about the Employment Standards Act or any other labour relations issue.

Mr Gilchrist: It passed.

Mr Christopherson: Oh, pardon me. It passed. So that's it?

Mr Gilchrist: We passed Bill 49.

Mr Christopherson: Right, you passed Bill 49. So what? Nobody should ever talk about it again? Is that why you wanted to ram through Bill 26, because you believe that once something is rammed through no one should ever refer to it again? Wait until we get into an election. You just wait until we get into an election and we start talking about the things you've passed.

The fact of the matter is your Bill 95 right now takes such great pride in referring to the Employment Standards Act in terms of ensuring protection. I've already spelled out to you very clearly that under your new Employment Standards Act the protections that used to be there before Monday are no longer there. I think that's relevant. I think the fact that it's already the law in this case, in terms of Bill 95, is more relevant. You know what you would say to me if I were talking about Bill 49 and it wasn't passed? You'd say, "But it isn't passed." I know you would. You would say, "It's not relevant because there may be amendments or we might yet make some changes. So you can't tell me that's relevant to Bill 95, Dave. You can't do that." You can't have it both ways, Steve. To the member for Scarborough East, you can't have it both ways.

The fact that it's law, quite frankly, makes it that much more obscene in terms of Bill 95, because Bill 95 suggests there are rights there in the Employment Standards Act that will protect workers. I'm making the argument and putting forward my opinion that your changes in Bill 49 have eliminated the legislative protections that used to be there, so it's a shell of a game.

It's not the only area. We're going to have workers working on Boxing Day and other days. One of the things that can happen to workers is they can get injured on the job. That takes us to Bill 99, your WCB legislation. They don't like these things to be linked, so I suspect somebody at some point is going to pop up and say that I'm off subject again and I'll have to make the argument again. That's fine. I'm ready to do that.

The fact is that you don't like people to put all the pieces together because then they begin to see the whole picture, and when they see the whole picture they realize that when they look at the kind of Ontario you've created for them, they've lost: "Wait a minute, I used to have this and this and this and I've lost that. I've lost my health care system, my education system. You've destroyed WCB. You took away my labour rights. You've attacked my union. And what did I get?" Well, I guess if I was a bank president I'd be getting 200 grand a year. You might want to sit down and contemplate whether you were a winner or a loser, because it would be a toss-up,

but boy, if you're just an ordinary working stiff in this province, if you're a working-class, middle-class person — never mind being the most vulnerable, they had it from day one with this government, but anybody who really wants to start to look at the picture and begins to weigh it out says:

"Gee, maybe if I'm lucky I got a couple of bucks in that 30% tax cut, although from what I hear all the people who already had money are the ones who are getting most of it, but I got a couple of bucks a week here. But over here, I'm paying more for kids' sports, I'm paying more for municipal services that I didn't used to have to pay for. I don't have the education system I had, although they've told me I can send my kid to private school, except I don't have a decent-paying job any more. I used to have a decent job with the provincial government, working hard for the people, working hard for my employer. I had a half-decent job but I don't have that any more because my job was contracted out and I lost my collective agreement. I'm only making nine bucks an hour, so no way I can send my kid to a separate education system.

"I don't know about health care. Well, the hospitals are so full now and besides they shut down the one in my neighbourhood. We don't have the health care system. But Mike Harris told me that I can buy all the health care services I need. I saw that shiny new clinic down the street where the Tory MPP was there smiling, cutting the ribbon, taking photos, and it was in his householder. I can go there. I could do that, except with nine bucks an hour I still haven't figured out how I'm going to do that at the same time I'm trying to figure out how to send my kid to that private education system because I want my kids to have a decent education. And I'm trying to figure out how I can send them to hockey in the winter and how I can send them to baseball in the summer, and my daughter wants to start taking up some sports. How am I going to do all these things? And my MPP comes knocking in the next election: 'Hi. Yes, I know all those problems, but you got four bucks a week in the tax cut. Aren't I a great guy?'"

Oh yes, this is wonderful. That's the picture you're painting. That's what you're all going to have to defend.

Interjections.

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Mr Christopherson: I'm glad you find it amusing. I do. That's nice. I'm pleased that you're pleased, but the fact of the matter is, maybe with a little drama thrown in to make the point, that is what you're doing. That is exactly what you're doing.

Just the other day we heard there are another 55,000 of those awful public sector workers — how dare they have the audacity to work for anybody except one of your subcontracting pals for \$9 an hour. Now their jobs are on the line.

People are not nearly as gullible as you think or want or hope they are. As more and more people lose decent-paying jobs and look at what the alternative is for them in terms of their future and say, "What does this mean for my kids?" I won't be the only one standing up screaming in Ontario, because they're not going to stand for it; not when you've got corporations getting \$6 billion of

injured workers' money because you took \$15 billion out of the pockets of injured workers and gave \$6 billion to your pals. And the 30% tax cut: You gave hundreds of millions of dollars to those who already have the most. You think people aren't going to get it? You think they won't understand what you've done?

There are a lot of nurses out there who don't know what their futures are; there are a lot of teachers; there are a lot of people who clean our schools. Don't you think it's just as important that our kids go to a clean school as well as going to a school where there's good education coming from the person at the front of the room? Don't you agree with that? Because for years and years and decades in this province we have.

You've said no. You've created, and are creating, an economic climate where there's a growing pool of desperate workers who will take any kind of work available because it's better than nothing. At the end of the day, somebody who had at least a decent-paying job and took pride in what they did, working to clean the schools because they cared about the kids, cared about what they did, and got a half-decent-paying job in return, now has the option of taking a job that does the same work and pays \$8 or \$9, except there's not even a guarantee they're going to get that work because you don't even guarantee that they get offered that job.

Look what happened to the people who worked in the restaurant downstairs in this very building. What happened to them? What happened to those decent-paying jobs? I'll bet they're minimum wage jobs. You contracted it out. You won't take responsibility for it, but that's what's happened. You've decided you're going to lower the value of labour in Ontario because you've decided the only way our economy can grow is by competing with Third World nations.

Mr Gilchrist: Exactly.

Mr Christopherson: The member for Scarborough East says "Exactly." Well, the fact of the matter is that with the Employment Standards Act as it used to exist before Monday, that act and its intent were part of what made this one of the most competitive, prosperous entities in all of North America. That's a piece of it, yet you try to make the argument — and to a large degree up until now you've convinced an awful lot of people — that we have to gut the Employment Standards Act; we have to gut our environmental protection; we have to push the poor further into poverty; we have to dismantle and decimate the health care system at least as we knew it, and the same with the education system.

You've ensured that anybody who wants a service has to be able to pay for it. There's no concept of the idea that maybe we all win, all of us as a society, when we have stronger employment standards acts, when we have an effective health care system, when we have an education system that works, when we have a municipal structure with municipal services that are available to everyone.

Don't you think we all gain when there are kids in the street whose parents are maybe already below the poverty line but they've got a shot at going to a recreation centre or joining the local sports league? Don't you think we all

win by that? Obviously not, because you're doing the exact opposite.

Your changes, part of the world you're creating for injured workers under Bill 99, say, "You don't get 90% of net any more, you only get 85%." But it's okay for that bank president to get \$200,000 a year from your tax cut. You can make the argument that they are not connected. You can make the argument, and I'll listen intently while you make the argument, that that's not a part of it, but I want to tell you, from the perspective of somebody who is unemployed or in poverty or facing poverty or right now is working for the provincial government or the municipal government and has a decent-paying job, when they look at those two things, they damned well connect them. If you're an injured worker who's having your pension slashed by 50% when you turn 65, or you're an injured worker who's been denied a claim that would have been accepted before Bill 99, and you hear that the bank presidents are getting \$200,000, yes, you're going to be ticked.

You're not ticked because they make big money per se, okay, because it's part of where we are at this time and place in our evolution; it says that some people get paid more than others. Unions are there to try to make sure that the people who create the wealth, who do the work, get their share of it, but that's not what they're going to hold you accountable for. They're not going to necessarily hold you accountable, although they probably will find it quite obscene that somebody would make \$2 million or \$3 million from the banking system at a time when they're laying off more and more workers. But they will hold you accountable for the fact that that very same person who's making \$1 million or \$2 million or \$3 million a year — and I grant you it's the extreme example, but that's how you make the point — under your new tax structure gets \$200,000. Under your new WCB, injured workers get \$15 billion taken away from them, and somehow that's okay. Somehow that's going to create a better province?

When you stand up under Bill 95, as the minister did today, and you talk about the fact that this is a part of your economic agenda to stimulate growth and to create jobs, we have a great deal of difficulty with that when we look at the facts, because the facts paint a very different story. The facts say that if you already had in this province before Mike Harris was government, you're going to get more, and not a little bit more and not a fair bit more but a lot more, a lot, a lot, a lot more; and if you're someone who started out as an ordinary working middle-class person — God forbid you start out as someone who was already on the poverty line — you're going to get less and less and less, and there are fewer places for you to go to deal with it, and there are fewer things for you to hope for in terms of a better future. That's what you've given them.

Ms Lankin: On a point of order, Mr Speaker: In honour of your return to the chair, I would like you to check and see if the government has a quorum.

Clerk Assistant and Clerk of Committees: A quorum is not present, Mr Speaker.

The Speaker ordered the bells rung.

Clerk Assistant and Clerk of Committees: A quorum is now present, Speaker.

The Speaker (Hon Chris Stockwell): The member for Hamilton Centre.

Mr Christopherson: The government continues through its actions to further polarize the province, which is exactly the issue I'm talking of and speaking of in terms of the haves getting a lot and the have-nots getting less and less and less.

The minister, when he introduced Bill 95, talked about creating jobs. But what kind of jobs are you creating? Yes, there are some new, decent-paying jobs in the high-tech industries and in other parts of our economy but, first of all, you haven't done anything to create those. I don't think there's anything you can point to that said you're going to take credit for that, but you will, and that's fine; that's the way politics works. But I don't think most people believe you would.

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Secondly, they're very high-skill jobs. If the education system that you're creating starts to take us down the road to the American education system, which it certainly looks like you're doing, then that means for those families which can't afford to send their children to the private schools that they won't get the kind of top-notch education they will need to compete for those very few jobs.

But what are you creating in terms of jobs? Well, you're sure doing a great magic act in terms of taking decent-paying jobs and making them disappear.

I saw another one of the backbenchers scrunch up his face and roll his head when I said that. Which one would that be? I'm never sure; they're all alike. It's not Perth, it's not Brant-Haldimand — where are you? What riding are you? Come on, don't be shy.

Ms Churley: Scarborough Centre.

Mr Christopherson: Scarborough Centre. Thank you. The member for Scarborough Centre gave me a funny look when I said that, that you have a great skill at taking decent-paying jobs and making them disappear. Well, what do you think is going to happen with those 12,000, 13,000 or is it now 15,000 as you search to find the \$3 billion? God help you if the Dominion Bond Rating Service is right and you get any kind of an economic downturn and you have to go and find that other \$3 billion. Then you're in real deep do-do.

But let's assume right now that somewhere between 12,000 and 15,000 is still your target provincially. Those are at least half-decent-paying jobs with half-decent benefits belonging to people who contribute — you like to talk about it a lot, the middle class — to being a part of the middle class, or at least aspiring to be as much a part of it as they can. They spend their money; they don't invest it in bonds and offshore markets and set up tax dodging in, what is it, the Bahamas and other places. They spend their money. They spend it in our economies, in our stores. They buy the houses that construction workers build. They're the people who make the economy go around, and you're taking large chunks of that part of our economy — and I'm not talking now on the human level, I'm talking on the economic level — you're taking huge chunks of those jobs and taking them away,

and you're replacing those jobs, because you like to say, "Well, we're creating all kinds of new jobs."

Well, all you're really going to do is create jobs in a privatized world with no union. We know how much that excites you, the idea that there are no unions, because in Bill 7 you took away the right of those workers to carry their collective agreement. You're not going to be let off the hook for the fact that you didn't talk about that in the campaign. There's nothing about that in the Common Sense Revolution. There's nothing on record at all, anywhere, where you told the people of Ontario and those public sector workers, "When we annihilate your jobs, we're going to take away your right to a union."

That's why when the minister today, talking about Bill 95, talked about the importance of job creation and what this government is doing about job creation, I thought immediately of the privatization you're planning to do, because that's where you're going to create this \$7.50, \$8.50, \$9, and the real high-priced paid help will get maybe \$10 an hour.

Then we saw the other day that you might now turn your guns; having taken your best shots at OPSEU, now you're going to go after CUPE. You're going to go after the municipal workers. Why? Because your great economic scheme, which includes the tax cut that you have to find the \$3 billion for — which is why you've had to delay your announcement: You can't find a way to do that that's politically palatable, but you can't back away, because you promised to resign if you did. So, you're in a bit of a spot. One way out of your spot is to turn to municipal workers. At least, that's what the report says.

I see the Minister of Municipal Affairs and Housing here. I am prepared to give unanimous consent if he'll stand on his feet right now and say this is not going to happen. That report says that you, Minister, and your colleagues are planning to take away, or you're at least seriously considering taking away, successor rights for those municipal workers. I see the minister nodding his head up and down saying yes. So, there you go. They're at least considering taking away those successor rights for anybody who's a municipal worker now.

I will admit we were a government that had our differences of opinion with CUPE and with OPSEU and I will acknowledge that they were rather serious, pointed differences. But they are light-years away from the sort of thing this government is contemplating, absolute light-years.

You're going to say to those municipal workers who work in our recreation centres, who plow local streets, who take care of our parks, who take care of our kids in the recreation centres, who clean our hospitals, who clean our schools, just as you did the OPSEU members, "We're going to pay for this tax cut on your back and we're going to cut transfer payments" —

Ms Lankin: Mr Speaker, on a point of order: I really think the government members should be keeping quorum in the House.

The Speaker: Quorum, please.

Clerk Assistant and Clerk of Committees: A quorum is not present, Speaker.

The Speaker ordered the bells rung.

Clerk Assistant and Clerk of Committees: A quorum is now present, Speaker.

The Speaker: Member for Hamilton Centre.

Mr Christopherson: Thank you, Mr Speaker. It's interesting that the government, during the debate on extending hours, talked about the fact that they were the only ones who were prepared to work hard because they were the only ones who really cared and all that other nonsense, yet they're not prepared to be here to keep quorum. Quorum is the responsibility of —

Mr Ed Doyle (Wentworth East): You've got two members here. Where's the rest of the party?

Mr Christopherson: If that's what it takes to wake up a Tory, then I should do a little more of it. It's interesting that the member for Wentworth East, who just had the outburst, happened to just come in here complaining because he wants to go and eat. Well, isn't that too bad.

Mr Doyle: I don't want to go and eat. I want to see the members eat.

The Speaker: Order. Member for Wentworth East, I want to call you to order. I can appreciate the fact you may not like what the member for Hamilton Centre is saying, but he's not out of order. So I would ask the members to maintain decorum.

Mr Christopherson: Thank you, Mr Speaker. Okay now?

It's important to take on this government when they talk about bills like Bill 95 being another piece of their important economic strategy in creating jobs, because you cannot get away from the fact that the privatization you're about to do is unnecessary, doesn't build a better economy and is not going to give us any better services. It will let you cut transfer payments to hospitals, boards of education and municipalities. It will allow your buddies, like Mulroney's buddies, to buy the services you're going to privatize.

I see another backbencher waving their hands saying, "No, that's not the case." Who do you think is going to buy it? They're going to be bought by your pals and they're going to make a lot of money, and they're going to make a lot of money not necessarily because they're doing any better job. This belief that somehow if it's in the private sector it's absolutely always better than in the public sector is nonsense, and if that were the case you'd be talking about privatizing the police, although you have started to introduce legislation, Bill 84, that looks at and opens the possibility of privatizing some fire services, which has got the firefighters upset about public safety.

No, the real place you're going to make money when you privatize is by making sure those collective agreements are gone. Those awful demons, the unions, have contracts there and people have wages that pay a decent standard of living, and maybe they've got benefits in there that you can't stomach. Besides, you can't peddle them off to your friends for as much money if they've got those collective agreements attached to them, oh no.

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That's why we get so riled when your minister talks about Bill 95 and about the Employment Standards Act but doesn't want to talk about what privatization means to public sector workers both for the province and municipalities. That's why we get so upset. You refuse to

acknowledge and talk about what's happening to injured workers who are having \$15 billion taken out of their pockets so you can give \$6 billion to your corporate friends.

The Speaker: Member for Hamilton Centre, I appreciate the comments you're making, but it is important that we try and deal with Bill 95 that's before us today.

Mr Christopherson: Mr Speaker, I believe I've been doing that, but I will certainly heed your remarks and your guidance. I've been making the case that when the minister spoke earlier, when he introduced Bill 95, he certainly referred to the Employment Standards Act. As you have the bill in front of you, you know that a large part of Bill 95 makes amendments to the Employment Standards Act. I'm sure I can help you there, Speaker. On page 2, that whole section 3, the largest section in this bill, is amendments to the Employment Standards Act. I've been making the case, because I realize you just came into the House, that referring to the Employment Standards Act and saying everything is okay is not necessarily true because the changes this government has made to the Employment Standards Act, which took effect on Monday, have taken away that legislative certainty. That's why, Speaker, I've been referring to the Employment Standards Act and related labour issues.

When we hear the government talk about the economy and creating jobs under Bill 95 we take a look at what kinds of jobs and who's going to have a chance at these jobs. There's no guarantee that the current workers are going to get them. That's certainly not happening at the provincial level. They're not getting any opportunity to have those jobs, and if they did, what are they looking at?

We saw with the people who clean the offices of the government members and all of us that, because of Bill 7 and part of their economic strategy they talked about when they introduced this bill, part of that strategy took away successor rights from people who clean buildings for a living. That's tough work, and all they've ever asked for is decent pay. I won't get into the details of what happens in that industry, but previous governments made sure that when there was a change in employer or it was contracted out, the collective agreement stayed in place. We moved that into law when the NDP was government. You took it out. Their wages were cut in half, their benefits cut in half and no job security in one day. That's what you did to those workers.

That's your great economic plan. That's what you're so proud of when you say that Bill 95, which we're debating today, is a part of some great economic plan that you have. That's the reality for the majority of real, ordinary working people. That's their reality. Their other realities are watching your Health Services Restructuring Commission roll into town and shut down hospitals, listening to the Minister of Municipal Affairs talk about the slashing and burning he's making to municipal transfer payments and seeing the Minister of Education hacking away at the education system, adding more and more kids to the classrooms — take a look at how long it has been since any maintenance was done in the schools — and still you say, "We're going to do more with less," one of your great mantras.

The fact of the matter is that you're going to do a lot less with a lot less. I think the proof is there in the \$3 billion, which is part of your economic scheme that was talked about today when the minister introduced Bill 95. I think part of that proof is in the pudding when you look at the fact that you've had to delay your economic statement twice now, the statement that's going to outline where the last \$3 billion is going to come from. That's not even the \$3 billion the Dominion Bond Rating Service says you might have to come up with if there's an economic downturn of any significance.

Some \$3 billion, and you wouldn't risk that — these are just my thoughts on this subject — you wouldn't risk your reputation about being such great economic managers and business managers unless you were really in deep trouble, and I think you are. I think politically you can't find that \$3 billion in a way that even your spin doctors can make work, that politically it's unpalatable.

You can't back away from it, as I mentioned earlier. You can't back away from the commitment to the tax cut or balancing the budget in such a ridiculously short period of time, an unnecessarily short period of time. You can't back away from either of those because you would have to resign, and you're not about to do that.

So there you sit, stuck with this \$3-billion problem, and the ministers will be wringing their hands all over the Christmas season. Do you remember not long ago, I say to my colleague the member for Welland-Thorold, when there was this big to-do about the backbenchers being brought into cabinet strategy for the first time ever in history? Hell, that was because they knew they were in deep trouble and they wouldn't even be able to sell this thing past their back benches, never mind to the public.

That's part of the economic plan the government talked about when it introduced Bill 95, the plan that has the Minister of Finance deferring an announcement on where those \$3 billion are going to come from. Not even you can justify what you have to do to Ontario to find that money; not even you can justify to your own people, let alone the broader public, how you're going to justify that.

Mr Douglas B. Ford (Etobicoke-Humber): Talk about democracy.

Mr Christopherson: "Talk about democracy." The member talks to me about democracy. You wouldn't know democracy if you tripped over it. You blew that whole issue on Bill 26. You showed your colours there.

When it comes to Bill 95, which we're talking about today, and the Employment Standards Act and the government's economic plans that he talked about and the labour-related issues that have to be considered when we talk about your changes to the Employment Standards Act, all you have done is take away from workers.

Mr Ford: You didn't do anything.

Mr Christopherson: We haven't done anything? Listen to the member, another one of them. Where's that guy from? I've got to get his number. Which one is it?

Mr Peter Kormos (Welland-Thorold): Dough-head.

Mr Christopherson: I can't say that. I can't find him here.

Mr Rosario Marchese (Fort York): Did you call him a dough-head?

Mr Christopherson: I didn't call him a dough-head. There he is: one of our favourite hecklers, the member for Etobicoke-Humber indeed. He likes to heckle when I get on these kinds of issues, and I appreciate the feedback, I really do. It helps to keep me focused.

One of the things your great democratic Bill 7, the brand-new Ontario labour relations act, has done is to put literally hundreds and thousands of workers on strike. Why? Because you legalized scabs. We said scabs are not wanted, are not allowed, are illegal in Ontario, and I think that was a good thing. So when you say, "What did we do for labour?" — more than you'll even dream.

Do you know there are scabs working in places right now that, if you hadn't introduced Bill 7 in such an undemocratic fashion, I might remind you, if you hadn't made scabs legal, these workers wouldn't be on strike? If you hadn't changed the Employment Standards Act, I say a lot of those employers wouldn't be so emboldened by the fact that they thought they had a government behind them that would support them in going after the workers and going after the unions that represent them. I say to you that if you hadn't made scabs legal in Ontario and made the changes you did to the Employment Standards Act, those workers wouldn't be on strike.

The employers would have been forced to sit down and negotiate a fair collective agreement, and you know, it worked. That's what you don't like. You don't like the facts being put out there. It worked. When we had the Employment Standards Act which is amended by this bill today, when we had the original Employment Standards Act and when we had Bill 40 in place, for the two years after it came into effect — I see one of the members going it didn't. The fact of the matter is that in the manufacturing sector, which is one of the most highly unionized sectors in our economy, we had record levels of investment, some \$8 billion in 1974, record level.

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Don't you get it? In the history of Ontario, we didn't create what we have by having the lowest common denominator. We've built on our strengths. We had a great education system. We had a world-class health system. We had a world-class social services system. We had the ability to build.

My leader, Howard Hampton, likes to talk about what happened after the Second World War in terms of building, that we built our way to prosperity: Universities were built, schools were built, investment was made in communities. You're not doing any of that. You haven't done any of that. Changes you made to the Employment Standards Act, first of all, beyond the insulting notion they were housekeeping, you took away rights of workers because you want to go, I don't know, down south or somewhere in the world and you want to say, "Come invest here because we have the lowest standards."

You did the same thing with the environment, and that's what's behind, I say to you, your slogans about, "Removing all regulations is a good thing" and "Smaller government is a better government," all these simplistic slogans that don't hold up. They don't hold up unless you agree with the idea that exploiting Ontario is the way to go, that you'll make it so easy for people to come in and set up shop: "Never mind. Don't worry about the envi-

ronment. Hey, we've got that taken care of. We've cut the regulations around the environment. You don't need to worry about that any more. Aren't we great folks?"

Mr Bud Wildman (Algoma): On a point of order, Mr Speaker: Is there a quorum?

The Speaker: Quorum, please.

Clerk Assistant and Clerk of Committees: A quorum is not present.

The Speaker ordered the bells rung.

Clerk Assistant and Clerk of Committees: A quorum is now present, Speaker.

The Speaker: The member for Hamilton Centre.

Mr Christopherson: I can appreciate the frustration of members in terms of having to keep quorum — I've been there — but it is part of the responsibility of government.

Again, that's why I was so upset when we debated the issue of extending the hours. Many of you who are actually here in the House today were making comments that you were the only ones who wanted to work and that you were prepared to sacrifice yourself to work till midnight and Saturdays and Sundays to get the work done and blah, blah, blah.

That's kind of why some of us took a little bit of offence, because the reality is that you get into late nights towards the end of the session and it's not quite the little picnic that you thought it was. But one of the responsibilities of being in government — it always used to bug me, and I'm sure it must you too, the fact that cabinet ministers are the last to be called in for quorum. One of the benefits of becoming a minister was they weren't forever yanking my chain. When I was in those back benches, I can remember being yanked away from finally getting a couple of minutes, because I do believe the vast majority of you work hard, getting a bite to eat, and you get yanked away to come in here. But there you go. There's the price of being in government.

What can I tell you? I guess the debate next year, when we extend the hours, might be a little different than it was this time as members become a little more experienced at what happens. But you do have that obligation to keep quorum. Quorum is the legal requirement to have 20 members here in the House so that we can conduct business.

We do think Bill 95 is important business, and I particularly think it's important when we start talking about the Employment Standards Act, as you've done in this bill, as you have also done on your whole litany of anti-worker legislation, all the way from Bill 7 where you put scabs back into the configuration in Ontario — I've already pointed out we didn't have that before and we had record levels of investment. There's nothing about outlawing scabs that affects the economy in any way, shape or form. What it's about is recognizing a worker's right to democratically withdraw their work in offsetting the power of the employer to cut off their wages.

Some of you like to say, "People have the democratic right to work or not work." That's the sort of right-to-work, southern-American-state thinking that frightens so many people in Ontario, because that's not what that's about. That's not what that's about. That's about making sure that your employer friends can make sure they can

run their places whether there is a strike or not, and you say somehow that the ability to strike and not have scabs go in gives workers a bigger side of the equation, that it gives them greater balance? What a lot of nonsense. The fact of the matter is that most working people are in a much more precarious and difficult and, yes, frightening position in terms of going on strike than the employer is in terms of not being able to produce, because they cut off all ability to survive.

Most employers, certainly the large employers, certainly the ones we're talking about with the strikes in Ontario now, they're not putting the ability to put food on the table on the line. Those workers are. You wonder why there's violence on the line. How do you think they feel about the police — and the police don't want to do it — being brought in to push workers out of the way so that the scabs can go in, because they've got to do their job? Under your law, those scabs are entitled to go in, and that's part of your economic plan that you talk about when you introduce Bill 95? That's part of the great protection you talk about when you refer this to the Employment Standards Act, which you've already watered down? We've got strikes in Bramalea Rebuilders in Brampton and the Ottawa Civil Service Association recreation centre. Those are CAW strikes. There are scabs there. Those strikes wouldn't be happening if it weren't for your legislation.

CEP, ICS Couriers: there are scabs there. CUPE, Ottawa-Carleton Lifeskills, Ottawa Valley Autistic Homes: scabs there. UFCW, Bancroft, the IGA store there: scabs there. Branson Mercantile in Ottawa, Goldcorp Inc in Red Lake, S.A. Armstrong in Toronto. These are strikes that I say to you wouldn't be there if you hadn't said it's okay to use scabs. When you changed the Employment Standards Act and took away the rights of workers, you said to those kinds of employers that are prepared to use scabs: "Hey, don't worry about it, folks. We're your buddies. If you really get into trouble, you can count on us."

That's what you have done with your labour legislation, and when these workers go in on Boxing Day, God help — because this is a new law — that they should get injured on the job, because very soon you're about to make Bill 99 the law. Bill 99 is your WCB legislation, part of what the minister said today is your "balanced" approach to the needs of business and the needs of workers. That's what the minister said today. He talked about that balance, and that's why I'm so outraged. When we know what they've already done and we know what they intend to do, it's absolutely insulting that they should continue to say they care about workers.

You're going to take \$15 billion away from injured workers and give \$6 billion back, and you're doing it because you say the unfunded liability is out of control. What a lot of malarkey. If the unfunded liability were in any kind of crisis, the last thing you would do is cut the revenue. It's no different than the deficit and the debt when you talk about it being in crisis and that's why you're turning around and giving \$20 billion back over the term of your government that you have to borrow. Same thing. It's a lot of nonsense. WCB has got \$8

billion in assets. The unfunded liability has gone down in the last two years by half a billion dollars each year. That's the reality of what's going on.

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But what you're doing is taking that \$15 billion out of the pockets of injured workers and giving \$6 billion back. By the way, the gift-giving starts January 1, next month, because it's passed by the board and the government has given their approval, so that money, that gift back to the corporations — by the way, it's interesting to remember when we talk about economics, as the minister did today when he introduced Bill 95, there's not one penny of taxpayers' money in the WCB. That unfunded liability is not a part of the debt of the people of Ontario. That is money that is owed by employers. It's not taxpayers' money. But I'll tell you, when you eliminate the ability of workers to claim WCB, which you're doing by tightening it up and by all the changes you're making, when they can't have their medical costs paid for by WCB, which is paid for by the employer, which is done because employees can't sue their employers — they gave up that right — guess who's going to pay for their medical costs? The taxpayer, because OHIP will have to pick that up.

And when you fold up the Occupational Disease Panel as part of your economic strategy that the minister talked about today when he introduced Bill 95, you're going to further prevent our ability to stop illnesses that workers die from. A world-renowned body that's respected and pointed to by experts and professional people around the world as the way to go, you're folding up, and our ability to find out why exactly, scientifically and medically, workers are coming down with diseases that maim them and kill them. Not only are innocent people going to die and be hurt, but when they are off work sick, it's the taxpayer who's going to have to pay the freight.

Why is that unfair? I will remind the government members that when you talk about your new economic strategy as you did today when the minister introduced Bill 95, you set aside a great deal of history, not the least of which is, with regard to the WCB, that in 1914 there was the historic compromise. Workers gave up the right to sue their employers when they were injured on the job. They gave up that right. In law, they can't go to court to seek redress. In exchange, employers would pay the premium into a fund that the workers would draw from to pay their wages and benefits when they're off sick or injured as a result of an injury at work that's no fault of their own. That's where it came from. So when you talk about the unfunded liability somehow affecting the macroeconomics of the province, it's not true.

That's why there's such outrage, because the very people who have a legal responsibility to pay the bill are being given back \$6 billion by you and you're finding that money in the pockets of the injured worker. Don't you understand that's why they're so outraged? This isn't, "I'm taking care of my own." This isn't greed or selfishness or, "I've got a great lifestyle and I want to keep it." These are injured workers who through no fault of their own cannot work, and you're taking away their rights and giving the money you're taking away in large part back to your corporate friends. That's why people

are so angry, and that's why people are so angry when they look at what you're doing to the Employment Standards Act, especially those who don't benefit from a union.

That's why unions are so angry when they look at Bill 7 and the scab law that now lets scabs go in and break democratic picket lines and why OPSEU is so outraged that you're denying those public sector workers the right to keep their collective agreement. You didn't do it to the private sector. Oh, no. In part of your economic scheme that the minister talked about when he introduced Bill 95 today, he didn't talk about the fact that successor rights still exist in the private sector. This is not some ideological principle thing. Oh, no. It's very straightforward. This is all about making sure that when you privatize public sector jobs, that when your friends bid on those contracts, they don't have to worry about collective agreements and therefore they can pay the going rate of wages and the going rate of benefits. Based on the whole economic package you're painting, that rate is going lower and lower and lower as there are more and more desperate people. The more desperate people there are, the more there are competing for fewer and fewer jobs, and therefore those who control the jobs can pay less and less because they can give the classic answer to someone who complains: If you don't like it, get another job.

You're not making that possible. All of this is in the context and at the same time that you're going after the education system, going after the health care system, going after firefighters, going after teachers, going after doctors, going after nurses. There's no one you aren't going after except your friends. Don't hear a whole lot of chambers of commerce complaining about your agenda, do we? Don't hear a whole lot of bankers complaining about your agenda. It's amazing who isn't complaining about your agenda.

Mr Ford: This is about a shopping day.

Mr Christopherson: Well, you pay the price when your minister insists on trying to brag about an economic plan when he introduces a bill. When he says that, I have a right to comment on that economic plan and that's exactly what I'm doing. When you change the Employment Standards Act in any law, I'm going to talk about what you've already done to the Employment Standards Act and I'm going to talk about what you've already done in terms of workers in this province. You can bet on it. Bet on it.

Mr Ford: Why don't you talk about the hundreds of plants that closed down during your administration?

Mr Christopherson: The fact of the matter is that this government, in terms of saving jobs — don't get me going. In terms of saving jobs, go up to Sault Ste Marie and ask the people of Sault Ste Marie, did they like the way Bob Rae approached Algoma or the way Brian Mulroney did? So don't even talk to me about saving jobs. Now I'm talking about creating jobs. The only jobs you're creating are jobs that are minimum wage with no legal rights underneath the people who are there, and that's just the way you want it.

In fact, you're going to go around the world bragging about it: "We've got no environmental protection, no standards. Don't worry about it. None of that red tape

junk in Ontario. Don't worry about it. Employment standards? Don't worry about it, we don't have that stuff. Unions? Oh no, we took care of them. We got them on the run; don't worry about that. If you have a strike, yes, scabs are okay again. Oh no, we fixed that."

What is so obscene about it, in wrapping up, is that it doesn't have to be this way. We could and we should be building on our world-class education system, building on our world-class health care system, building on our municipal infrastructure. It's wonderful that our inner cities aren't crumbling the way they are in the United States, but you're going to change that. It's wonderful that we have all these things to build on. We have the natural resources, we have the geography, we have the space, we have the skills, we have the people. It's all there, and rather than competing at the high end and saying, "We will compete with the best and be competitive through innovation and value added and making sure we have a reliable, skilled workforce, and that's how we'll do it" — that's what you ought to be doing — instead you take a bill like 95, which you had to do anyway because of the law, and you stand up and talk about it being part of your economic plan, a plan that is hurting working people in this province, and you seem to think they won't even notice. Well, you're wrong.

The Speaker: Questions and comments?

Mr Gilchrist: For those who are at home, the bill we're debating today is of course the Boxing Day Shopping Act, and while it wasn't mentioned even obliquely by the member in 90 minutes of a diatribe, let's just say that it's an important bill because the courts have given a clear sounding that the Boxing Day premise, the fact that businesses should be closed, is something that is quite out of keeping with our society today. Metro has already passed a bylaw; 25% of the province's population has already had Boxing Day forced upon them, and we don't need a patchwork across this province. Quite frankly, my service in retail predated when Boxing Day came in and I'm sure the world won't come to an end.

But given that the member decided to spend his 90 minutes talking about things that had absolutely nothing to do with the bill, let's just suggest that his righteous indignation — the boy who cried wolf over there might read into the reaction of the taxpayers of this province, who support our government still to the tune of 52%, I'd remind him that's seven points higher than we had the day of the election precisely because, contrary to the actions taken by your government, which was to take binding union contracts and rip them up and rip off your taxpayers and rip off your workers by 5% because you don't believe in binding contracts. You folks voted for the social contract. The result was a demoralized workforce here at Queen's Park, and quite frankly it was just one of many accomplishments that saw the economy of this province go from the first in Canada to the last.

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The turnaround has occurred, and now officially 200,000 people are off welfare, 127,000 have been new jobs created. As much as you continue to harp with the same kind of fiscal nonsense that led to the \$100-billion debt in this province, the fact is we're not borrowing \$20 billion. Those people who go off government assistance

and on to taxpaying jobs pay taxes. The net revenue will increase. We're going to see a sound economy we haven't seen for five years.

Mr Bradley: While I know that the member for Hamilton Centre perhaps didn't stay entirely on the bill the full time, he did discuss issues which were relevant to the bill because with all of the legislation, you have to look at the context in which the bill is passed. I tried to make a case previously that the bill was motivated by the tax cut, but even the member for Beaches-Woodbine said that was not the case, so I couldn't pursue that much further. She didn't defend the tax cut, but she said this is one bill you probably couldn't attribute to that.

What I was interested in was the member's concern that we have, yes, some protection for retail employees in this legislation but that with all of the other protections being removed from workers, from employees in this province and contemplated new removal of those rights and obligations, some of which were placed there by Conservative governments in years gone by, that this idea of being able to keep this particular right — that is, the right to refuse to work or to agree to work on Boxing Day — might disappear. I know the member was concerned about that, as I am, because I look at a store, as he may, that might have five or six employees and if none of them wishes to work and they all refuse to work, nobody can tell me that they're not going to be forced to work. Somebody in that store, some of the employees, are going to be forced to work. This legislation will have no effect in protecting those people. Perhaps in a large store, a Canadian Tire store, The Bay, Eaton's, one of those bigger stores, that might happen, but for those who are involved in smaller retail outlets, there's no way that this legislation is going to protect those people.

Mr Kormos: I listened carefully because of the force of the address by the member for Hamilton Centre. I almost called him David Christopherson, but I understand the Speaker made a ruling recently that it would be inappropriate to call him David Christopherson as compared to "the member for Hamilton Centre." The forcefulness of his comments was compelling.

I listened to the member from across the way —

Mr Wildman: Scarborough East.

Mr Kormos: Scarborough East — who was critical. I'll tell you, I'm confident that the member for Hamilton Centre indeed wishes that he had an opportunity to really put Bill 95, this piece of the puzzle, in its proper position in that whole broader picture. There isn't a single bit of legislation that comes from this government, perhaps with a rare exception, that isn't part of an overall plan, of an overall goal on the part of this government. The member for Hamilton Centre has articulated that very clearly and argued it very forcefully.

He's argued, as I understood his argument, an agenda that is very much anti-worker, an agenda that holds in disdain the fact that workers would dare to organize themselves into collective bargaining units, into trade unions and dare to negotiate collectively with an employer. He talks about a government that holds a high-wage economy in disdain, that wants to drive down wages and drive down employment standards to the point where the gap between the very wealthy, whom they

clearly speak for, and the poor is greater and greater and greater, and where the numbers of poor grow larger and larger and larger.

The member for Hamilton Centre has very much and very skilfully put Bill 95 into the total picture. I think it was a valuable contribution to an understanding of why Bill 95 is as insidious as perhaps lengthier pieces of legislation.

Mr Ted Chudleigh (Halton North): I find it passing strange to listen to the railing of the third party on the issue of the opening of Boxing Day, which is one day during the year. International competitiveness, of course, is an extremely important part of Ontario's future, and being internationally competitive in all aspects of the economy we face is very important, and that includes being internationally competitive with the border cities and not encouraging shoppers to drive across the borders to shop and spend their money in other areas.

It's also passing strange to listen to the third party rail against legislation such as this when they introduced Sunday shopping in this province and introduced 52 days of shopping that were — I don't believe the member actually mentioned that, but I thought it should come to the attention of the House that 52 days of the year were taken away from the workers of this province whom they purport to represent. This is one day of holiday, not 52. The comparison is passing strange indeed.

The Speaker: Response, the member for Hamilton Centre.

Mr Christopherson: To my colleagues from Welland-Thorold and St Catharines, I thank them both very much for their complimentary remarks and their shoring up of the key arguments I was making.

Let me just say to the member for Halton North very directly that history is beginning to show that an awful lot of people, in hindsight, might prefer the Rae days to the kind of future that you're offering them. Given the fact that your party argued that it wasn't nearly enough, I find it passing strange that you would try to offer that up as some kind of attack on my response, but you're entitled to your time and I respect your right to use it.

To my Tory colleague from Scarborough East, a couple of thoughts. First of all, it's interesting that he should characterize my presentation as being a diatribe and somehow his presentation is something different. Perhaps he and I should sit down over a coffee some day and watch his response to my speech in addition to an equal length of time of mine, and maybe we can come up with a definition of diatribe that fits. I would say to him very directly that given the dead, boring, ineffectual, unimportant kind of speeches that far too many government backbenchers give when they stand up and read page after page after page of things they didn't even write, I'd rather be on the other extreme, trying to make a point I firmly believe in, than fall into that trap.

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The Speaker: Further debate?

Mr Kormos: I'm not going to have the opportunity to speak to you about Bill 95 for the 90 minutes that the member for Hamilton Centre did, but I will utilize the 30 minutes available to me.

I should tell you that I'm not going to be supporting Bill 95. There is some confusion; you see, one wonders about the motivation behind presenting the bill. My understanding is that the Retail Business Holidays Act and its imposition of restrictions on store opening days was the subject matter of an Ontario Court ruling that basically left this province without any legislation; assuming that that ruling would be maintained by subsequent court decisions, it left this province without any legislation governing store openings. It seems to me curious, then, that this bill would be presented — acknowledging, however, that the Employment Standards Act amendments might well be the focus of the bill.

As well, though, in view of the fact that the status of the Retail Business Holidays Act — and you've got to understand that I did not vote for it as it was presented by the last government. It was colloquially referred to as the Sunday shopping legislation then. I didn't support Sunday shopping when I was a member of the opposition, back when the Peterson government was introducing Sunday shopping to the province of Ontario. The reference that was used then was "wide-open Sunday shopping." I recall that as a neophyte here, my first committee work was with the then member for Cambridge, Mike Farnan, who was passionate and sincere in the opposition to the Liberal government's, the 1987-90 Peterson government's advocacy of wide-open Sunday shopping.

In the part of the province where I come from, in Welland-Thorold, the first time I campaigned for election here I made it clear that if people were voting for me they were supporting a member who was going to be opposed to Sunday shopping. In 1990 I similarly made it clear that people who supported me were going to be voting for somebody who had a strong opposition to Sunday shopping. As I say, when the last government introduced its bill — and look, I appreciate that I was certainly in a minority here in the chamber. I re-read today what the now Premier, then leader of the third party, had to say about the Sunday shopping proposition. Quite frankly, Bill 95 doesn't contradict anything he had to say, although there were times when the Conservative Party was a little bit ambiguous about where it really stood on the issue.

So here we are. We're going to be asked to vote on legislation that in some respects doesn't do anything, because the courts have already ruled that the Retail Business Holidays Act has no effect. The courts have already indicated that the last government's attempt to create this regulatory scheme and permit Sunday shopping and other holiday shopping was inappropriately drafted. So I'm saying, what is this? Is this a public relations exercise? Is this an effort to create some look-good or feel-good legislation?

I heard the Solicitor General when he introduced the bill today, when he spoke to it, and I heard him talk about it in terms — I'm sure I did, and, listening to the member for Hamilton Centre, he reinforced it. I'm sure the Solicitor General spoke about this as being part of a job creation exercise. I'm sure he said that. He elaborated on that. He clarified that. He talked about it as a job creation exercise in that it will create more working hours.

I reflected on the phone call that I made earlier today to one of the large shopping plazas down in Niagara region. I specifically asked: "How's Christmas shopping going? What's happening in the shops?" I was interested because, as you know, down in Niagara we've got among the highest levels of unemployment in the province. In fact, I telephoned this morning after reading comments about the numbers of people receiving general welfare assistance here in Metro Toronto, which the newspapers tell us — and no reason to disbelieve them — have dropped. I questioned that, because I thought: "That's strange. I wonder what it's like in the rest of the province."

In Niagara there's been an increase in the month of November in the rate of general welfare assistance, a significant number, according to the staff people I spoke with at regional government community and social services, and they anticipated even more as the winter months got closer and closer, January and February. I'm interested, then, if that's the case in Niagara, what's happening in terms of the number of people who are forced to rely on general welfare assistance in other parts of the province outside Toronto. I'm confident that the Minister of Community and Social Services would be candid in revealing that information, notwithstanding that it may well prove to illustrate that the numbers of welfare recipients have increased by and large across the province.

We know that unemployment is at a higher level now than it was a year ago at this time. I hear the responses to questions put to the cabinet during question period. They talk about this myth of jobs when in fact unemployment is higher in the province now, in December 1996, than it was a year ago in December 1995. We know that there are more unemployed people in Ontario now than there were a year ago. We know we haven't seen any of the 725,000 jobs that the Conservatives promised voters, and we're now a year and a half into the mandate. Where are these jobs? We're a year and a half into this government's mandate: not one, nothing, zero, not a single new job.

You certainly note that down in Niagara people are hurting, and that was confirmed when I talked to the management at one of the larger and major shopping plazas in Niagara today. He said that people were out there, but it certainly wasn't any booming pre-Christmas shopping period. I asked him about the phenomenon of pre-Christmas sales, because apparently this is something that's rather new, and it was indicated to me that this was a reflection of a consumer that simply hasn't got a whole lot of money in his or her pocket to spend on traditional Christmas shopping.

If people aren't out there shopping before Christmas and if items are already being put on sale, where are these shoppers going to come from after Christmas?

I remember the day this bill was presented for first reading, on November 20, because I remember the Solicitor General again was talking about his support for business with this bill. I reflected, how much support is there here for small business, real small business, the mom-and-pop type of operation? That's the type of business culture I grew up in, quite frankly, and I under-

stand that type of family-operated business. There's no support. There's no support here for real small business.

I'm not talking about small business à la Catherine Swift. I recall her definition of small business: any company with less than 100 employees. Ms Swift sometimes just ain't that swift. She purports to speak about small business, but she speaks about a very different kind of small business than I'm familiar with down in the Niagara region, where folks set up a business, where they work in it as a couple with their children, perhaps with some other relatives, and if things are well — and they certainly aren't well now — maybe they can afford to hire a person or two people part-time or for some interim periods of time.

Look what the endorsement of wide-open Boxing Day shopping does to small business people, to small retailers, to the mom-and-poppers, as I'll call it. It puts them at a very uncompetitive edge with the big chains, with the Wal-Marts, the evillest, most despicable retailer that's ever invaded this country, a retailer that has a long anti-union history, and they're actually proud of it, a retailer that has a history of ravaging retail businesses, especially in small-town Ontario, a retailer that is voracious in the way it will consume other locally-owned, family-owned businesses and ship profits back down to — where in the United States?

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Mr Tony Martin (Sault Ste Marie): Alabama.

Mr Kormos: Somewhere. It's part of their heritage, it's part of their colourful heritage. I know some of the folks who work —

Mr Bradley: Arkansas.

Mr Kormos: Arkansas, by God, yes. Roy Somebody —

Mr Monte Kwinter (Wilson Heights): Mr Wal.

Mr Kormos: Yes, that's where the Wal-Mart chain came from. I know some of the people who work there. Would they like to make better wages? Of course. Do they deserve better wages? Of course they do. Are they happy about the fact that they're generating huge profits for a very uncivil type of retailer who is then shipping those profits out of the country so that these folks have to work at lower wages than they deserve or than are even fair or decent? They work there because they had no choice. We haven't seen any of the 725,000 jobs that the Conservatives promised in their election campaign of 1995. I understand, and again this is nothing for this government to be proud of, young people, students are desperate for work. You know that, Speaker. Young people, students are desperate for work, as are their parents, quite frankly.

When I look at the amendments to the Employment Standards Act — and quite frankly I was as critical of other forms of legislation that purported to protect workers as I will be of this — the amendments to the Employment Standards Act say that an employee may refuse an assignment of work on, among other things, December 26, Boxing Day.

Please, give me a break. "May refuse," yes. Where do you end up on the list if you dare to refuse? Who do you think is going to be called in next time if there is, hopefully, a busy season or a need for some part-time or temporary staff?

Mr Bradley: The person who worked Boxing Day.

Mr Kormos: The person who was prepared to come in on December 26 or on Good Friday or on New Year's Day or on a Sunday. The person who, notwithstanding the tug between their obligations, let's say, to their family on a Sunday, felt obliged to go into the Wal-Mart on a Sunday to work, feeling the guilt that many feel abandoning their families on a Sunday, on a Christmas Day.

You see, what we've got is a process here of erosion. It didn't start with this government. I understand that. It started with the Liberal government of 1987 to 1990, with the introduction of the concept of wide-open Sunday shopping. It was certainly expanded with the last government, but now here we've got a government that has a chance to draw the line, that has a chance to recognize that Boxing Day — part of the argument too I understand is that Boxing Day isn't a religious holiday. I understand that. Boxing Day is not a religious holiday but it's become part and parcel of the days of Christmas celebration, by mere usage, by the fact that it's there. I'm not going to get into the origins of it, the history of it, but the fact is it has become part and parcel of those days of celebration of Christmas. It's acquired what one preacher, Pastor Russell down in Welland at the Rosedale Baptist Church told me, almost a quasi-Sabbath character, if not an actual Sabbath quality in itself.

I remember the arguments, short of that, of Mr de Boer from Idomo, for whom I have a great deal of respect and regard. You'll recall Mr de Boer, and I tell you I've been, as often as I've had occasion to be a consumer, a faithful purchaser of Gerrit de Boer's product at Idomo, which as you know makes Swedish-style designed furniture and sells it at a very attractive price. It's very durable and I urge people to shop at Idomo because Gerrit de Boer stood firm on the issue of Sunday shopping. He stood firm.

He spent a great deal of his own energy, effort and money travelling across Ontario, lobbying with MPPs about the need to maintain a day of rest. The arguments that came from the big retailers were — do you remember him, Speaker? You should have been here, because the arguments that were offered up were incredible: that shopping is a recreational activity; that we're prepared to accommodate you. Bring your children and you can have quality family time in the aisles of our toy department or of our supermarket or our clothing or furniture store. What a myth.

Do retailers have a right to make money? Of course. But for us to have bought into the silliness of consumerism as a recreational activity I think speaks very poorly about all of us. I would have hoped that this government might have looked at the overall situation, at the fact that the courts — it wasn't an appellate court. As I understand it, the decision is there about the status of the Retail Business Holidays Amendment Act but it's not one that may necessarily dictate the law. It would require further testing or consideration.

I would have thought that a government that spoke about some of the things this government spoke about during the course of their election campaign would have been one that would have been inclined to take a look at what communities and people in those communities feel

is a responsible position for government to take in terms of protecting people who work in the retail sector from having to work on what should be, for people who are spiritual, days of religious quality, and that included the concept of a Sabbath which goes far beyond religious observation, but a day for activity with family.

I would have thought so but, after all, this is the government that adopted the argument from the purveyors of the slots, the one-armed bandits, the high-tech video slot machines. This is the government that bought into their argument that slot machines are recreation. By golly, that's the sort of thing we want to do on a Sunday afternoon. Go down to your corner bar or restaurant and play slots; the suggestion that, oh well, there could be rooms set aside so your children could be accommodated in some quasi day care while mom or dad is in there pumping the handle on the slot machines. That industry tried, and it did, quite frankly, with a whole lot of people, to create the imagery that slots were some sort of recreational activity akin to, let's say, bowling or skiing or ice skating or being in a park, when in fact slots are all about the owners of those slots making huge amounts of money at the expense of, among other things, an increasing number of people who are going to suffer from the addiction that slot machines create, at a far greater rate and faster pace than do other forms of gambling.

I don't think the protections here are in any way meaningful or relevant; there are just no two ways about it. My criticism of them now in December 1996 is the same as it was back in 1992 and 1993, and the same as it was back in 1988 and 1989. For what are mostly non-union workers in the retail sector, what are in many cases either young people and students or their parents who are desperate for work, the proposition of refusing, of utilizing what this government would tell you is your right to refuse work on a Sunday or on Christmas Day or on Boxing Day is oh, so unrealistic.

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I would have hoped this government might have looked to communities across this province to talk about what family life and what small-town community life is all about. I certainly was in a minority here in the Legislature on the issue of Sunday shopping; I understand that. It's clear that my colleagues in the New Democratic Party, myself included, were in a minority here in the Legislature when we voted against those insidious high-tech slot machines that are going to prey on young people. I don't know; I may well be in a minority in terms of speaking out against wide-open shopping on Boxing Day. But I also know that whether I'm speaking for a minority or not, I'm speaking for more than a few people. I'm speaking for a substantial number of people who don't believe that retail activity should be conducted on Sabbath days — even, yes, December 26, Boxing Day.

It was strange because in some respects the parallels between Bill 95 and the slot legislation, Bill 75, are so remarkable. Leaders from the spiritual community, religious leaders, came to the government, came to the committee that I sat on, representing a large number of faiths and they tried to persuade the government that there was more here to consider than just the wealth

that's going to be created by the owners of slot machines, that there's perhaps something about quality of life and about values and about principles that should be considered. Nobody wants to be rude to a clergyperson and nobody on that committee was rude to a clergyperson, yet their written submissions seemed to almost immediately go to the bottom of the pile, regardless of the denomination. They seemed to be dismissed as just silly old men and women who are too hung up on religious matters and aren't in touch with the reality of day-to-day life.

That's why I talked to some of the religious leaders in Welland and Thorold, knowing that this bill was going to be called today, because I think it's important, and the churches acknowledge that they're in a struggle. They're in a real struggle, an unprecedented struggle. They're trying to provide leadership. They're trying to do the right things and provide leadership in a direction that they think is morally healthy, is spiritually healthy, is good for families, good for young people, good for our parents and grandparents, but they're really feeling the competition of the lure of the shopping plaza on a Sunday. They don't think they're getting much help from government. I know that any number of denominations have any number of views on any number of different subjects, but the recognition of the need for a day of rest for workers so they can pursue spiritual goals and pursue contact with their family is universal among all denominations. It's universal to all religions.

I suppose some might think it's hokey or corny to address this matter in that way. I say, so be it, because the fact is that whether they are a minority or not — I really don't know. I suspect that if most people were given the real question — because this was really the issue during the Sunday shopping debate, one which was never given effect to because the big commercial interests won out. They talk about the fact that consumers have a right to shop on Sunday: a right to shop. What they were really talking about is they wanted to have the right to make profits on a Sunday, and the same argument is being used here.

Mr Wayne Wettlaufer (Kitchener): Who opened up Sunday shopping?

Mr Kormos: A Tory backbencher who's over my left shoulder but probably not to my left says, "Who opened up Sunday shopping?" The fact is that the Liberals did it, with great encouragement from Mike Harris and the Conservative Party. I've got the Hansard transcripts right here. I read what Mike Harris had to say about it. He didn't stand firm on the issue of Sunday shopping. It was a matter of mere political convenience.

I ordered the Hansard transcripts of what Mike Harris and other Tories had to say about Sunday shopping. They were purporting to be the proponents of business who wanted Sunday shopping, purporting to be the supporters of business. Again, small business? Yes, 100 non-union employees. That's the Tory version of small business. It's not my idea of small business. Small businesses, I tell you, are the hardworking families running family businesses who, yes, may well feel compelled to open on December 26 even though they've been working seven-day weeks for the weeks prior to that, keeping their small shops and their small boutiques, their small retail stores

open to accommodate Christmas shoppers and to try to compete with the Wal-Marts of the world. They're going to be denied the opportunity to put their feet up on Boxing Day and to have a little bit of breathing space that's well deserved by them in view of the hard work they've done.

This bill may well only be symbolic in view of the status of the Retail Business Holidays Act, but if it is only symbolic, that makes it all the worse, because it means that this government very specifically wants to send out a message that it has no concern or interest in the people working in retail who are inevitably going to be forced to work on Boxing Day and on other holidays. The argument that somehow this creates more commercial activity is oh, so naïve. The consumer in this province has little in his or her pocket now as it is, and opening a store one extra day isn't going to put more money in that consumer's pocket. That was the same fallacious argument that was presented during the Sunday shopping debate by the big commercial interests, by the people who wanted to profit and were prepared to sacrifice any number of long-held values to facilitate those profits.

As indicated at the outset, I'm not going to be supporting Bill 95. The Employment Standards Act amendments are in themselves toothless, ineffective, futile. The legislation doesn't provide leadership, but rather shows and demonstrates to the people of Ontario that this government is interested in profits for big business rather than in healthy lives for people and families. This government is far more interested in commercial interests than it is in families and in young people and their parents and grandparents. And this government is the government that, in the course of allowing 20,000 high-tech, highly addictive slot machines to pop up in every neighbourhood of every city in this province, will be held accountable, I'm sure, for initiating what will be from this point on a rapid erosion of any sense of holidays or Sabbaths for working people in this province or their families.

The Acting Speaker (Mr Jack Carroll): Questions or comments?

Mr Dan Newman (Scarborough Centre): It's a privilege to respond to the member for Welland-Thorold and his speech on Bill 95. He spoke about there being a lack of retail confidence or the ability of people to be out there shopping before Christmas in his riding, but I'd like to let him know what's happening in Scarborough. I suggest to him to try and find a parking spot at the Scarborough Town Centre shopping mall this past weekend. You couldn't get one, because everyone was out shopping. In fact, when you talk to retailers — and I was out doing some Christmas shopping myself, Mr Speaker, and I had trouble using my Interac card. Why did I have trouble using my Interac card? The lines were jammed because too many people were shopping. So many people were out shopping, they couldn't use their Interac cards or their credit cards.

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Interjection.

Mr Newman: He says, "What's it going to be like after Christmas?" I believe it's going to be better. It's

going to be far better after Christmas, because that's when the second phase of our very real cut in personal provincial income tax comes into effect: January 1, 1997. Cutting personal provincial income tax rates and cutting payroll taxes beginning January 1, 1997, reforming the welfare system with 195,000 fewer men, women and children on the welfare system — 195,000 fewer people — and ending unfair job quotas by this government has accomplished a lot. What has it accomplished? Well, 136,000 more jobs during our tenure to date, and we've only been in office for 18 months. That, contrasted to a net job loss of 10,000 jobs by the former NDP government, is quite startling.

I'm proud to be part of a government whose prime focus is job creation and not job losses like the former NDP government.

Mr Bradley: I enjoyed the member's speech and I enjoyed his recounting the history of this. I know he was very disappointed when Premier Rae and the NDP government implemented full Sunday shopping and opened everything up wide open. He was one person who stood in this assembly and opposed that, with a few others, and I want to give him his credit for that.

The member for Scarborough Centre, who was responding to him, talked about credit cards. The government will need a credit card because it's going to have to borrow money to finance the tax cut. The government will be getting out its credit card, adding to the provincial debt, borrowing money to give a tax cut. I think the people who were out at the shopping centre must be bank presidents because they're going to be getting the most money. The richest people in our society will get the largest chunk of money from your tax cut.

I'm wondering if the member for Welland-Thorold is aware that if people want to read this in Hansard, they can't do it any more, because in the new year apparently you're going to have to own a computer and be hooked up to the Internet to be able to receive the published Hansard, the printed Hansard. I find that absolutely appalling, that yet another nail has been placed in the coffin of democracy in this province.

I'm wondering if the member thinks the people who are being laid off are going to be able to shop on Boxing Day, the 175 people at Cadbury Schweppes or the people from the other closings — Foster Wheeler in St Catharines; Thona Corp, part of the operation of Court Industries, not all of it; the Kelsey-Hayes operation in St Catharines and some in his riding — whether he thinks those people, as well as those downsized at GM, will be able to spend the money on Boxing Day that this bill enables them to do.

Mr Wildman: I listened with interest to my colleague from Welland-Thorold on the TV in the whip's office. I note his concern about the provisions in this bill and whether or not they will be effective and what it means. I understand that the court decision has basically meant that stores will probably open, or could open if they wish. I was very interested in my colleague's view as to whether or not the provisions to protect workers were real. I don't really know whether they are.

But I was most concerned about the whole issue of putting this in the context of what this government is

doing. Like my friend from St Catharines, I'm concerned about the staff of the Ministry of Transportation who are being laid off by this government just before Christmas because of the desire to contract out their jobs. I'm just really wondering whether if a store is open or closed on Boxing Day is going to make any difference to them. It's going to be a very bleak Christmas.

I suppose one might argue that perhaps if a store is open on Boxing Day with a sale, these people, who obviously are not going to be able to afford to shop prior to Christmas, even with the sales that are on now, if there are really deep discounts after Christmas, they might be able to purchase something. But frankly I doubt very much that they will go shopping, because they're going to be in a very serious situation. They're going to be losing their jobs just before Christmas. While this government may think it's giving Boxing Day back to the retailers in this province, it's the Grinch that stole Christmas from those workers.

Mr Tim Hudak (Niagara South): I rise to join in the debate today, with comments on my comrade the member for Welland-Thorold's comments on finally opening businesses on Boxing Day.

One of the themes brought out a very sharp contrast, where the member for Welland-Thorold talked about the evil lure of the shopping centre, where he talked about the seductive ability of The Bay or Gap — and I do appreciate there are some nice clothes in there and hopefully I'll be able to do some shopping myself when we get through these midnight sittings soon — but all the same, the ability of a shopping centre to overpower an individual's resolve, to lure them in and tell them where to spend their dollars.

But as a Conservative, and the members on this side of the House will agree, we believe in an individual's ability to choose where to spend their own dollars, how best to spend their own wealth, where best to work and what to do with the money when they get the paycheques coming in. It seems the left, by this argument, and supported by some members across the floor, would rather control that money themselves, I guess go back to the days of high taxes and high debts and all kinds of charges, payroll taxes, so that they can determine where this money from hardworking Ontarians will be spent, perhaps some day suit us all up in some sort of Maoist outfit so we all look the same and won't have to worry about shopping on Boxing Day. But we don't go down that path, as Conservatives. We're the other way around.

Certainly my experience has been that — let's be realistic — they do shop on Boxing Day. Working there at the Peace Bridge as a customs officer a few years ago, I'm remembering all the cars coming across the Peace Bridge from Buffalo, talking about, "Oh, I was just over at the Galleria; I was over at Pennsylvania." All these goods came across the border because they didn't have the opportunity to do that shopping in Fort Erie or Welland-Thorold or St Catharines or the Niagara Peninsula.

Interjections.

Mr Hudak: I certainly think, despite the objections of the members across the floor, that we should give Canadians and Ontarians an opportunity to shop in their

own province for a change. Instead of having to go internationally across the border and shop in the States, let's shop back home in Canada.

The Acting Speaker: Time to wrap up, the member for Welland-Thorold.

Mr Kormos: I say to the member for St Catharines, thank you kindly. Yes, he had advised me earlier about this government abandoning Ontarians or others who are interested in knowing what's going on here. They've drawn a dark screen around this place by abolishing the right to subscribe to Hansard. Oh, you can access it if you're equipped, as these Tories' wealthy friends undoubtedly are, with the high tech of computers and Internet. But working folks and the poor, without their computers and their modems and their PCs, are no longer entitled to access Hansard.

Interjections.

Mr Kormos: Yes, the workers at Cadbury Schweppes have been abandoned by a runaway company that's fled to the United States, leaving these workers abandoned without jobs. I say that's why all of us should be participating in the boycott of Mott's clamato juice, shouldn't buy another drop of it. I'm advised the President's Choice version of clamato juice is union-made here in Ontario and is far better, quite frankly, than Mott's ever was. Again, there'll be no Mott's clamato juice in my fridge; it'll be President's Choice over this Christmas.

I thank the member for Algoma. The member for Erie-Lincoln, or who would be for Erie-Lincoln if he managed to get the nomination from the member for Lincoln, Mr Sheehan, I would remind him that if you want to reinforce families and quality of life for families, sometimes you've got to pay a price. It's unfortunate that this government is prepared to sacrifice families and the concept of a Sabbath for pure commercial interests. It's sad.

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The Acting Speaker: Further debate?

Mr Mario Sergio (Yorkview): I'm delighted to join the debate on this particular bill. As we are getting very close to Boxing Day, I think it's a very appropriate time to debate the bill. I just want to bring a little bit of insight, if I can, with respect to what brought the government to decide on the move of legalizing, if you will, shopping on Boxing Day and the benefits, if there are any, and to whom.

I wonder if this has been dished out through the Who Does What committee, or maybe we should go to that particular committee and then find out if Who Does What to Whom and When would come up with the same conclusion.

Let me give you a little bit of information as to the dilemma that we, as local politicians, went through when we were debating Sunday shopping. I don't have to tell you how long Sunday shopping has been debated. Every municipal council must have debated for one year, two years, three years, perhaps more than five or six years, and we always came to the same conclusion: that the benefits of opening up Sunday shopping, if you will, now on Boxing Day, are not really worth it.

The reason we're opening up on Boxing Day or legalizing it, if you will, I don't believe the minister has given us the real goods. I'm not saying he's lying,

absolutely not; I'm saying that the benefits of opening up on Boxing Day, whenever it falls, truly overshadow the negative impact, they really do.

We have to look at policing, the effect that it has on workers. There are those who work in shopping malls versus those who have the strip plaza, if you will, who even if they pay rent don't have to open. But we are going to have the same issues telling the store owners, tenants, employees, "Well, if you don't want to open up, you don't have to." It's very difficult. I've had plenty of calls already, by the way, in my office from small retailers. They say: "Look, I'm hardly making a living the way I do it now, opening up six days a week. You think Boxing Day is going to make my day?"

How are we going to tell our hairdresser or our barber, "The mall is going to be open; you've got to open up"? What does this do to the morale of the people, the employees and the various retailers? A lot of people say — I don't say everybody, but most people, a lot of people — usually it's Christmas Day and they may not be able to drive now, after they have a good time on Christmas Day or Christmas night, but certainly they would like to continue to enjoy the spirit of the holiday, the spirit of Christmas, until Boxing Day.

So, why is the government moving to approve, legalize, shopping on Boxing Day? Because we find it very hard to police it. Then why don't we give them a choice and say, "Look, we do have a problem; you want to stay open, you stay open," but don't force it on people? It just cannot be done.

The calls I've been getting — and I'm pleased that the minister is here — say, "Look, you are discriminating; you're putting one worker against another," those who are being forced to open up and work on Boxing Day versus those who will be taking off, don't have to open up, can pay their rent and not open up on Boxing Day.

Hon Al Leach (Minister of Municipal Affairs and Housing): Only in Ontario would we have a holiday for shopping and then not allow shopping.

Mr Sergio: Yes, indeed, it's politics. I appreciate the intervention of the minister.

Interjections.

The Acting Speaker: Order.

Mr Sergio: I can wait. I'm enjoying it. I'm glad it's now about 20 minutes to 8 on a Thursday night and we are engaged in this type of affair here. It's one of those things again where the government says, "Let's consult the people; let's consult the people who are really affected in situations like this and see what they have to say." I'm sure I'd like to tell the minister. Because he comes from a municipal atmosphere, if not experience, I think he knows that we do have a problem with that. But of course if the government wants to move in the way and legalize the illegal, that's okay, no problem.

I'm showing a lot of concern for those employees, workers who will be unfairly treated. That's a big concern. I think it's a time that we should be telling those people: "It's Christmas Day. You want to enjoy it with your family. You want to do certain things that normally you don't do at any time of the year." This is a very particular time of the year, so don't force it; don't force it upon them.

The calls that I've got are stressing the fact that the ones in the indoor shopping malls will be at a huge disadvantage versus those that are in the various strip plazas, Eglinton, the main streets, where if they want to open up, they open up, but they don't have to stay open. They can pay their rent, lock the store, take holidays and come back in the new year and stuff like that.

I think we're going to have more difficulties with the environment aspect of the situation, opening up practically every day of the year. I think it's going to cost us more. It's not going to be of any benefit to us. I think it's going to cost us a little bit more. At a time that we are curtailing, we are cutting funds to even our police department, now we will have to find more protection. We will have to find those people to be out there, to cover those areas, to be always available on extra calls and stuff like that.

So, I think there are some negative points, but I can see where the government is directed, and I think it's posed as well to let it go through, to approve of it tonight, and so be it. But those are the concerns that I wish to express to the government side. This has been an issue that has been debated for so long, for so many years throughout every council. Those are real concerns that have been expressed, and I share those concerns. I believe there should be one day when we could say, "Close them down." The problem is that those people who have been abusing that particular law have not been prosecuted, if you will, or gone after, been fined, and they have been getting away with it. So the government is saying, "Instead of going after the few, we might as well let everybody open up and let them do their business." That's fine.

I think I have got my two cents worth in this matter here. The concern I want to bring to the House is the concern that I get from the people in my area, and yes, I do have a very large commercial base, both with strip stores, individual stores; I have some malls as well. This is the concern they are telling me: "We don't want to work on Boxing Day." It may be good for some stores, some big stores, but in general I think the people are against it. Those are the concerns I wanted to bring and express to the House.

The Acting Speaker: Questions or comments? The member for Algoma.

Mr Wildman: I want to congratulate the member for Yorkview for bringing forward his concerns about the fact that some people in his constituency, small business people, would like to have the day off and have the after-Christmas sales begin two days after Christmas rather than the first day immediately after Christmas.

I'm intrigued by the interjection that was made during my friend's speech from the Minister of Municipal Affairs and Housing, the member for St George-St David, where he said, "Only in Ontario would we have a holiday for shopping and then not allow shopping."

My question is simple: Who ever said that Boxing Day was a holiday for shopping? Who designated Boxing Day to be a holiday for shopping? The history of Boxing Day is quite different from that. The term comes from 18th century England, where the wealthy used to give presents

to their servants the day after Christmas, the leftovers from Christmas. It had nothing to do with shopping.

I've never been in a league where I would be having servants to whom I would give even the leftovers from Christmas, but I'm sure many of the members opposite would like to treat their staff that way and would like to have them have a day off and enjoy themselves rather than have to hurry out and elbow in the enormous crowds on Boxing Day for the sales. Frankly, I don't understand why anybody over the Christmas holiday would want to go shopping the day after Christmas. There are so many other things a family could do together to enjoy the holiday. Shopping is not one of them.

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The Acting Speaker: Further questions or comments?

Mrs Marland: This debate is so interesting for those of us who have a historical perspective on it. I find it amazing to hear members discuss the fact that we are now going to legalize something that happens anyway: stores being open on Boxing Day. Members discuss it as though we are forcing people to go and shop. It's a matter of choice. We are simply saying that people choose —

Mr Wildman: You mean this is permissive legislation? Oh, I didn't realize that.

Mrs Marland: I say to the House leader for the third party, the member for Algoma, I didn't interrupt you when you were speaking. I would suggest to you that it's an entirely free choice whether people shop. Boxing Day, as I said earlier today, is not a Christian holiday. Those of us who celebrate the Christian festival known as Christmas do not treat Boxing Day as a religious holiday.

I really find it interesting that the opposition is accusing us of being interested in business and the economy. You're absolutely right. We are all interested on this side of the House in business and the economy, because we want to get more people working in this province and we want to reduce the \$100-billion deficit that was the legacy the two former governments left our government to deal with. We're proud of the fact that we're interested in creating jobs, and the people who don't wish to work on Boxing Day are protected by the Solicitor General's legislation.

Mr Colle: I think nobody in this House is against business and the economy, but I think a lot of us on this side are also very interested to see what government legislation does and how it affects people, especially vulnerable people.

This Christmas, throughout this province, there are going to be a lot of seniors who, because they have to pay prescription user fees, because they have to pay a \$100 deductible, will not be able to buy that Christmas present for their grandchildren. This is not going to be a very good Christmas for a lot of people who, instead of having 40 hours of work, have now been reduced to 20 hours; a lot of people who won't have full-time jobs, who because of the cutbacks are now working part-time.

Sure, it's great to say how wonderful Boxing Day will be. It might be great for you who have a lot of money, and for your friends who have been given that big tax cut it will be a wonderful Boxing Day, but I'll tell you, there are a lot of people in Oakwood who will not have a very

good Boxing Day because of the fact that they've lost their jobs; they're paying more user fees; all kinds of services that have been cut back, that they used to get for free, they're paying for. That's what we're trying to tell you.

I think the member for Yorkview is trying to tell you to stop and think what you're doing to people. As you bulldoze through cities, as you amalgamate everything that moves, as you make these mega-monster stores, mega-monster governments, what happens to people? What happens to the little senior who has to now pay \$6.11 every time they buy a prescription? What happens to those seniors who are in hospitals, who have to pay \$40 a day? So stop and think what your policies are doing to people too.

Mr Gilles Pouliot (Lake Nipigon): Following that sad but so accurate example, some people will not make it to Boxing Day. Their concern is a chance to be like others in the Christmas spirit. So more immediate, the day before Christmas is when they will suffer very harshly. It's when comparisons are more vivid than at any other time. No government of any political stripe should have to carry the guilt as individuals. We do the best we can at that time of year; not only Christmas but the conditions that lead to not having a very happy Christmas by way of a lack of means so that we can give and share with our loved ones.

For a moment I want to share with you what Boxing Day is like in the community of Manitouwadge. If you see me with a parcel, with a shopping bag on Boxing Day, I'm returning things. I'm not shopping on Boxing Day. For instance, if I were to get a cellular phone on Christmas Day all wrapped in the latest fashion, in Dalmatian wrapping paper — we got a Christmas card, Monte and the Dalmatian. Since it doesn't work in my riding, because you can really see the curvature of the earth — there is no system there — I would stoop, I would be so sad, and I would take the cellular phone back. That's what Boxing Day could mean for me. It doesn't scare anyone.

I'm going to ask you a question, Mr Speaker, you who are so worldly. Boxing Day has been made famous by sales. Is it the day of the year where the real sales occur? Because I want to wish my good wife and spouse a happy Christmas Day and a nicer Boxing Day —

The Acting Speaker: Thank you, member for Nipigon. The member for Yorkview.

Mr Sergio: I take with a good grain of salt the comments from the member for Mississauga South. I wish to thank all the members who have risen to comment on my brief presentation: the members for Oakwood and Lake Nipigon as well as the member for Algoma.

It used to be that Boxing Day was not a shopping day but an exchange day. If it didn't fit, if you didn't like it, that's what you would do. Then it got spoiled, people got greedy and it turned out to be another shopping day.

I should mention this now, because the minister is here, the member for St George-St David. He used to be the essence with respect to the transportation mode within Metro, if not the GTA. I wondered how those people in wheelchairs, the most physically challenged people in our society, are going to be doing some Boxing Day shop-

ping. Usually it's madness just to go and exchange a gift. So I wonder if the TTC's going to be working on Boxing Day. I wonder what kind of service WheelTrans users will get on Boxing Day. Those are the things we should be thinking about. I don't think it's fair to those people.

But let me say this, Mr Speaker, that while we were waiting, another member made a comment that Santa Claus from up north in Santa's village is so upset with the idea of Boxing Day openings that he may even cancel his trip south. I think we should really take that into consideration. Thank you.

2000

The Acting Speaker: Further debate?

Mr Martin: I appreciate the opportunity to get up this evening and speak on this bill, even though I have somewhat mixed opinions and feelings about it.

Interjection: Confused.

Mr Martin: Confused, yes. I don't understand, first of all, why it's before us. From what I'm led to believe, the case before the courts that was decided just a few months ago decided this decision. Why we're dealing with it here tonight is — well, who knows. I suggest to you it's just another in a line of a whole lot of bills that are brought before this House in a way that is quite illusory: on one hand to present to the public that there's something happening here that's good for them, that's going to be somehow good for business and for their communities, contribute to quality of life, make them more responsible citizens, yet on the other hand, when you take a closer look at it, you begin to see that it, like all the others, is quite a cynical piece of work.

We're presented in this bill with the notion that somehow business is going to be better in our communities because we're going to be open on Boxing Day, that stores are going to make more money, are going to be more prosperous, that communities are going to benefit from this by way of the tax that's generated and the activity that will happen around the downtown.

In another respect — and my colleague for Hamilton Centre spoke to this — we're also told in the bill that there are going to be provisions that are going to respect the rights of workers through the Employment Standards Act to say no if they don't want to work on Boxing Day, to refuse to work because they want to stay home with their families or they want to continue the Christmas celebration in some other way besides having to get up and go to work. The member for Hamilton Centre and the member for Welland-Thorold I think made excellent and eloquent presentations on the real fallacy and the real lack of credibility in that particular piece of this bill, and I won't spend a whole lot of time on that.

I do want to spend, though, as much time as I have, as I can put in here tonight, talking more about the question of whether this piece of legislation that we're dealing with — or with it, I suppose, the court decision — will in any way enhance the retail sector, will enrich the retail sector in my community or in any community across this province.

I refer back to some of the comments from my colleague for Welland-Thorold. I too remember well the debate we had in this House around the question of Sunday shopping, and how at the end of the day I came

to a position of supporting the notion of Sunday shopping in my community, how I thought we might be able to do that in a more controlled fashion. Actually in my community we had attained a level or a way of respecting both the want and the desire of people who wanted to shop on Sunday and balanced that with those who wanted to see Sunday as a day of rest and a day when more time could be spent in more spiritual pursuits.

In Sault Ste Marie at that time there were a number of factors that came into play around the whole question of whether we should be allowing Sunday shopping or not. Certainly one of them was the fact that we are a border community, and just across the river, five minutes from downtown Sault Ste Marie, Ontario, is Sault Ste Marie, Michigan, with wide-open shopping on Sunday, literally carloads of people going across the bridge every Sunday and money flowing in rather significant amounts into the stores of the merchants in Sault, Michigan. I don't for a minute suggest that the merchants in Sault, Michigan don't deserve to take advantage of that kind of trade, but somehow I felt, in discussions with the chamber of commerce and the labour council and the municipal council in my community, that perhaps Sunday shopping might be something that would be, in balance, better for my community than not.

Actually, a year before that, in response to the legislation the Liberal government had brought in, Sault Ste Marie had decided on an experiment, which was to have Sunday shopping from 1 o'clock to 5 o'clock. That left the morning for people to attend church services and spend some time together as family, and then, if they wanted to go out in the afternoon to pick up a few groceries or pick up a card or a present in a shop, they could do that. At the end of the day, I didn't get a whole lot of feedback of a negative nature from people when we as a government decided to move ahead with that.

There was a time in my history when I was very vehemently opposed to the concept of Sunday shopping; in fact, at one point I marched with people on city hall when city hall was making the decision about whether they would respond to the Liberal legislation and open stores. But we all have to be open to new information. We all have to be open, as members in this place, to meeting with our constituents and hearing what they have to say. If, at the end of the day, we think they're right, if it falls within certain basic principles and values — and one of those for us and for me is the freedom of people of various cultures and religions to have some time to celebrate that particular faith, but also that those who don't share a particular day or a particular time be allowed to do what they feel they need to do, as long as it's respectful of others. So at that time, I was onside with a whole lot of my colleagues in supporting the moving ahead of our government in light of the question of Sunday shopping.

I have presented to you the whole process I went through as an example of why it is so important that we have members in this House who represent constituents who can access the member and have the time that's necessary to sit down and talk and debate over a period of time the issues of the day that affect them directly, so that when decisions are made they know the person

they've elected carries, as honestly and fairly as possible, the position of that community — as much as that can be done, considering that all of us here in this place belong to a particular political party, which brings along with that some party policies, and those are debated as well. And it's important to note that those of us who come here and serve in this capacity also bring our own set of personal circumstances and our upbringing and approach on various things.

But what I wanted to focus on more tonight than that, even, is the question of, why this bill, and why now, after a court decision was made that really made the bill somewhat redundant? I suggest to you it's in keeping with the way of going on that this government has established over the last year and a half, which I talked about two nights ago in this House. It's to bring in legislation that is usually wrapped in a very attractive package. But normally, the name is written in a way that actually betrays in many significant ways what's inside and would lead people to believe that this government actually cares about people, that this government actually cares about communities, and that this government is actually going to take some initiatives that will stimulate and be helpful to an economy that frankly, in this province right now, is sputtering to take off but can't because it is slowly but surely running out of gasoline.

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Let's for a minute look at this bill. It presents as somewhat of a Christmas present. You know, here's an opportunity for people to go out and spend more money, here's an opportunity for retailers to be open another day of the year so they can have more customers come in and spend money so that they can generate more profit.

But when you put that in the context of all the other things this government is doing that negatively impact on the retail sector, one scratches one's head and wonders, what is it we're doing here? For example, in my community and across this province in every community, there was one day in July 1995 that was a dark day indeed in this province. It was the day that your government decided to take 22% from the income of the lowest and the most vulnerable and the marginalized in this province.

Mr Hastings: On a point of order, Mr Speaker: It would be appreciated if the member for Sault Ste Marie stuck at least remotely to the subject. I do not see how 22%, regarding our policy decision on social assistance, has anything to do with this decision. The judge didn't rule about it in that way.

The Acting Speaker (Mr Bert Johnson): I'd like to remind the member for Etobicoke-Humber that I was listening very carefully to the member. He is debating Bill 95, an act to permit shopping on Boxing Day, and I'm sure he was just about to bring his debate within the context of the bill.

Mr Martin: If the member would give me a minute, if the member would be a little bit patient — after all, it's the Christmas season — I'd explain to you the point I'm coming to.

Interjection: Do you want to get to it?

Mr Martin: Okay, we're getting to it. In July 1995, one of the dark —

The Acting Speaker: Order. I did want to remind the member to address his remarks through the Chair, if he would, please.

Mr Martin: Okay, Speaker, I'll talk to you, although it's much more interesting to talk to these guys, because they're chirping and talking and responding here. They're very interested in what I have to say. They're listening with bated breath to how I'm going to tie this into this bill.

Interjection: Yes, how are you going to do that?

Mr Martin: If I could just get a minute here, Speaker, I would do that.

You'll all remember — I tell you, I can't forget that day in July 1995 when you, in support of your government, decided to take 22% of the income of the lowest-paid, the most vulnerable and marginalized and poorest people in every community in this province. They thought: "This is going to teach them a lesson. This is just going to tell them to smarten up and get out there and get a job. This is going to make them more responsible and accountable and all those things" — not realizing that this goes way beyond that particular family and that particular individual.

That family and that particular individual is a story in itself, and it was a sad day when you kicked those folks in the head. But even beyond that, what you've done in my community — I don't know about your community or Manitouwadge or Welland, but I'm sure they can come up with the same numbers — is that you took, because of that decision, \$2 million a month on average out of the economy, which computes to \$24 million a year that is no longer being spent in local stores. That's the point.

All the way through the year, you as a government have pulled \$2 million per month out of the cash registers of the smallest stores, corner stores and grocery stores and shoe stores and the stores that sell clothes to kids and to families, and then you bring in a bill here that talks about opening up stores on another day of the year when people —

Ms Lankin: On a point of order, Mr Speaker: I'm sorry to interrupt the proceedings, but I was watching on television in my office as you made a ruling on the interjection by the member for Etobicoke-Rexdale. You said that the member for Sault Ste Marie was entirely in order and that he was speaking very directly to the bill, which you said was an act to prevent shopping on Boxing Day. I'm quite confused. I thought this was an act to allow shopping on Boxing Day, Mr Speaker. I think you need to clarify which bill is before the House.

The Acting Speaker: That is not a point of order. If I made a mistake in addressing the member for Etobicoke-Rexdale — I think I used the wrong riding, and for that I apologize, and if I got the terminology a little bit mixed up, I also apologize for that. What I will not apologize for is the mistake that some may have thought I made and didn't, and that was that I told the member I was paying very close attention to him and that I knew he was bringing his debate within that. I'm saying that I'm sorry you missed part of it, or misinterpreted it, but I do appreciate your participation tonight.

Mr Kormos: On a point of order, sir, there's an old maxim, Speaker: Never apologize, never explain.

The Acting Speaker: That is not a point of order. The Chair recognizes the member for Sault Ste Marie.

Mr Martin: Speaker, I was wondering if, because of all of this, I might be given a bit more time on the clock?

The Acting Speaker: I'm sorry. The answer is no.

Mr Preston: It's your fault anyway.

Mr Martin: No, no. Do you want me to start over?

I appreciate the fact that the Speaker ruled in my favour a few minutes ago in saying that I was going to get to the point eventually and that he was anxiously waiting for me to do that. I was going to get there, and then all this happened. Anyway, here we are.

It just doesn't make any sense to me that this government would be bringing in a bill that really is not necessary, which is redundant, to allow for shopping on another day of the year when, on the other hand, through the decisions it's making, it's literally, on a daily basis, taking millions of dollars out of the pockets of people who would be wanting to spend it in these stores — how many days in a year?

Mr Kormos: There are 365.

Mr Martin: Spend it 365 days of the year.

Laughter.

Mr Martin: It's late.

Mr Preston: Not counting leap year, Tony.

Mr Martin: Not counting leap year; that's right. While I'm talking, maybe you can figure out how many of those are days you can't shop on, and then we can do that.

Anyway, why this government would be bringing in a bill as redundant as Bill 95 to allow for another day of shopping when they're taking money out of the pockets of people who would spend it, literally millions — I use the figure for Sault Ste Marie because we did calculate it: \$2 million dollars a month out of Sault Ste Marie, \$24 million dollars a year. And this is out of the pockets of people who very seldom keep it there very long. It's almost a direct flow-through.

Mr Colle: You could call it a flow-through pocket.

Mr Martin: It's a flow-through pocket. A person on assistance gets the cheque, cashes it and spends it almost immediately. Somebody once said to me it was like putting gas in your carburetor to start it, as opposed to putting it in your tank, because it fires right away. It has an immediate effect on a community. The money you give to people who are on fixed income is money that's spent immediately in the community.

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Mr Kormos: These people want it spent on the damn slot machines.

Mr Martin: They want to spend it, yes, on slot machines, but even more than that, they want to give it to people by way of a tax break who aren't going to spend it.

Mr Kormos: The rich.

Mr Martin: The rich, who are going to sock it away or spend it on a vacation in Florida or Bermuda or the Cayman Islands or Jamaica. Does it make any sense to you, Speaker, that they would be doing this?

Interjections.

Mr Wettlaufer: He's not allowed to comment.

Mr Martin: He was commenting a few minutes ago.

Anyway, the other piece of this that's rather disturbing, and it's in the same line and I'll come back and make the same point, is in my community as well, up until September 1995, by way of the cuts to social services and health care and education, you had laid off literally hundreds of people and you had taken by way of that another \$35 million out of the community, annualized. We're talking \$24 million and \$35 million, so we're talking what? What does that add up to, Peter?

Mr Kormos: A whole lot of cheese.

Mr Martin: That's a whole lot of cheese, a whole lot of cheese out of my community that would be spent in those stores, that would be spent with those retailers if this government wasn't in such an all-fired hurry to give the bank presidents a tax break, who aren't going to spend it in our communities because they don't live there. I don't know where they live. Does anybody know where they live? Certainly not in Sault Ste Marie. To give them a tax break.

We did a study — the labour council and the Steelworkers in Sault Ste Marie — in partnership with the economic development corporation, of the impact on my community of the decisions you're making by way of the downsizing. We figure by the time you're finished we're probably going to lose between 1,600 and 1,700 jobs in Sault Ste Marie. That's a lot of jobs. That's a lot of spending power. That's a lot of money that is no longer going to be going into the ch-ching cash registers of the stores and shops.

Mr Wettlaufer: How many times?

Mr Martin: Oh, 1,600 to 1,700.

Interjections.

Mr Martin: They don't do ch-ching any more. Okay.

Mr Wettlaufer: You're not even including the lottery corporation.

Mr Martin: That's right, it's coming next. The member for Kitchener brings up an excellent point. I haven't even talked about the lottery corporation. They're going to privatize the lottery corporation and gut Sault Ste Marie. They're going to take 300 to 350 jobs from the lottery corporation out of Sault Ste Marie and God knows where they're going to go, but the bottom line here is that's 350 more people who aren't going to be spending money, never mind on Boxing Day, on any other day of the year in my community. That's another — what was it? What were they projecting?

Mr Wettlaufer: You might as well close up Sault Ste Marie. It doesn't sound good at all.

The Acting Speaker: Order.

Mr Martin: It doesn't sound good, and I tell you, it isn't good. It's not just Sault Ste Marie. On a more serious note, I would ask anybody here to do the same analysis of the impact of the decisions of this government on their community.

Mr Kormos: This government has a special hatred for the north.

Mr Martin: The member for Welland-Thorold, who should know, says this government has a special hatred for the north. I don't understand why that is. That may have something to do with the fact that the north didn't vote for them in the last election. They understood a couple of things. They understood the leadership that was

given by the previous government and they understood before anybody else the impact of the decisions that this government was going to make if it followed up on the promises it made in the Common Sense Revolution on our community.

But interestingly enough, the same kind of analysis that talks about the millions of dollars coming out of the community of Sault Ste Marie that are no longer going to be spent in the shops and stores of my community, never mind on Boxing Day but on any other day of the year, has been done in North Bay. Who represents North Bay in this place? It seems to me it's one Mike Harris represents North Bay.

This study, which was jointly sponsored by a whole lot of groups in North Bay — the chamber of commerce, the labour council, the economic development corporation, the city — they all got together because they want to know what the numbers are, what the impact is. They've determined that from the beginning of the downsizing by the federal government in that city, heaped on to the downsizing that's happening now by way of the provincial government, they will eventually lose 2,200 jobs out of North Bay.

Just a little aside to that: Do you know what the Premier and the government are doing to try and shore that up a bit? They're literally cannibalizing the rest of the north. Any job that's left in northern Ontario, whether it's in transportation or the Ministry of Natural Resources or education or the federation of agriculture or policing, any jobs that are left, by hook or by crook, one way or another, are being moved into guess where? They're being moved into the constituency of the Premier of the province to shore him up.

Even though he went out on the weekend this study was released in North Bay and said that this was good news, that government was downsizing and that they were serious about getting their house in order and not spending more money and dealing with the debt, and he said that losing 2,200 jobs in his own home community was the price you had to pay. But on the other hand, clandestinely, behind the scenes — and we all know, the member for Algoma, I know, the members from Timmins and Sudbury, we all know that he's taking all the jobs that he can get his hands on that are left, the few of them that are left, and he's moving them to North Bay so that the impact isn't quite so hard and so stark on that particular community, which tells me that —

Mr Pouliot: He's even taken the riding away.

Mr Martin: He's doing that too — that even he is concerned. Even he in the quiet of his own mind, when he has some time to sit back and think about this and how it might impact his community, is having second thoughts and he knows that he should be doing something to help his own community and to help the people who are being laid off in large numbers in North Bay.

Does it make any sense? Does it make any sense to be on one hand the Santa Claus of the province for a while and announce to the business community that they're going to be able to open on another day of the year, Boxing Day, and all that means for the workers and the families that own small businesses who are going to have to open whether they want to or not, because the big

shops are going to and they're going to have to follow suit. Does it make sense to be doing that on the other hand, through the decisions you're making a day-to-day basis around here, while taking money out of those communities so that the rest of the year these retailers that this government says it wants to help by way of this bill are literally going bankrupt?

We have record bankruptcies in this province right now and no more so than in the north and in my own community. Bankruptcy has gone up in my own community in the last year by 61%. That's what's happening because of this government, and this bill is a cynical hoax.

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The Acting Speaker: Comments and questions? The Chair recognizes the member for Mississauga South.

Mrs Marland: I would say to the member for Sault Ste Marie that we have probably just heard a very good example of why these evening sittings are a complete waste of time. I think most of us understand this bill very well and we understand that this bill gives people the opportunity to shop, should they choose to shop.

I say to those members opposite who found their own member's speech very entertaining that this is not what we're in this place for. We're in this place to speak to legislation from our different perspectives. I simply say to you, if you don't understand the necessity for creating more jobs in this province, we really are in difficulty. What is so interesting for this particular member of course — I know this because I have a brother who lives in Sault Ste Marie and is a constituent of my colleague the member. I know that of course, like a lot of people, a large number of your constituents don't even shop in the Sault. They go over to the American Sault and other American cities to shop. So your argument about Boxing Day shopping is an absolutely hollow argument and I simply say to you, with respect, give people the opportunity. We are talking about Boxing Day, where people shop illegally all the time —

The Acting Speaker: The member's time has expired.

Mrs Elinor Caplan (Oriole): This bill is Bill 95 and it will, when it's passed, allow stores to remain open and people to shop, if they choose, on Boxing Day. We know there are businesses that stay open, even though the law has been that they must close and the cost of the enforcement of that has been an issue and a problem. We also know the retail sector likes to have Boxing Day sales and we also know the retail sector is experiencing economic difficulties at this time. We know as well that many people like the excitement of Boxing Day sales. I personally don't. I don't like those kind of big crowds for shopping, but the fact that I choose not to go and shop on Boxing Day I don't believe should prevent those who want to do it from going and doing it.

I think for retailers Boxing Day will be an important business day for them. I hope it will help them with their sales. I hope those people who got things for the holidays, and Christmas in particular, that they don't like and want to exchange will go and do it while the sales are on and that it will be an economic boon to the province. I suspect, however, that it will not be the economic boon

the government is predicting because people who don't like what they got exchange them at some other time.

However, we're spending a lot of time and energy in this House on an issue that when the Conservative government debated and discussed issues such as Sunday shopping, we knew that one day they were on one side of the issue and the next day they were on the other side of the issue, so I'm not at all surprised that there's a lot of discussion and ridicule when you see these folks are the ones that are actually opening up the province to shopping on Boxing Day. I personally don't have a problem with it. I'm just surprised the Harris government is doing it.

Mr Wildman: I want to congratulate my good friend from Sault Ste Marie on a very entertaining and informative speech on Bill 95. I listened very carefully and I understand that my friend basically indicated that some people in his community are in favour of shopping on Boxing Day, some people are opposed to shopping on Boxing Day and he stands squarely with his constituents.

The point, though, has to be recognized that because of court decisions, the stores are going to be able to open for shopping on Boxing Day, whether or not this legislation passes, so really it is not that crucial. The suggestion that we're going to have a lot more shopping done and it's going to be very, very important for the retail sector, I question. I wonder whether it will just move around the dates when people do their shopping. I don't know whether it's going to mean there's going to be a lot more shopping, just that there'll be shopping on a different day.

To suggest that this is going to mean a lot more jobs ignores the real kernel and important part of my friend's speech: that the moves this government has taken have resulted in so many job losses in communities like Sault Ste Marie across northern Ontario that nobody is going to be doing a lot of shopping, whether it's on Boxing Day or before Christmas or any other day of the year, because we're losing an enormous number of jobs and purchasing power in northern Ontario.

There has been the suggestion by the Conservatives that we should speed up and get things moving along here. One of the advantages, I suppose, of this legislation is that the House could sit on Boxing Day, but of course the workers who don't want to come wouldn't have to.

The Acting Speaker: The time has expired. The chair recognizes the member for Etobicoke-Rexdale.

Mr Hastings: Actually, we may have to be here, at the rate and pace of debate on this subject. It's like beating an old horse to death and then expecting it to come back to life again.

I didn't think the day would ever come when I would agree with anything the honourable member for Oriole said, but I sat just absolutely fascinated listening to her positive, upbeat proposition on what may happen on Boxing Day and allowing people the individual choice to doing it.

As for the member for Sault Ste Marie, I tried to connect up logically his contention or premise that somehow the 22% reduction in social assistance kills shopping. It seems to indicate that there is only one type of shopper in the Sault: low-income people. I think there are low-income, middle-income and what you'd call over

there the wealthy, anybody over \$54,000, as the previous Treasurer defined and seemed to have accepted, whereas a salary of \$40,000 to \$50,000 is more middle class than anything.

What I think this particular bill is going to achieve is to help some young people who need part-time jobs. If you go to a lot of the shops in even the smaller communities of this province, or in the urban areas — this government never made a big claim that it was going to increase a pile of jobs, but it is going to keep job retention for young people who are trying to get through community college or university. They need these jobs, and that's why they want to have the stores open. As the member for Oriole said herself, let's allow people the chance to go out and shop if they want to. If they want to return things, fine. It's their individual choice.

Finally, law enforcement in Metro: The cost of it over the years was horrendous. Thank you, Mr Speaker.

The Acting Speaker: The member for Sault Ste Marie has two minutes to respond.

Mr Martin: I thank the members for Mississauga, Oriole, Algoma and Etobicoke-Rexdale for taking the time to get up and enter into the debate on this important piece of legislation.

I will not reduce myself to a debate with the member for Mississauga. That was a cheap shot that she took, although I do say to the member for Oriole that I sympathize. Last night I heard you say that your riding is disappearing, that this government is doing away with your riding. I can't believe it, and the member for Nipigon, his too. It's a sad day in this place. It's almost Christmas, and this is the kind of stuff they're delivering.

I also want to say to the member for Etobicoke-Rexdale that I'm really sorry that you didn't get the point. Work at it. Get the Hansard, have another look at it, and I'm sure the light will go on at some point. Of course the member for Algoma, who always understands what I'm trying to say, got the point.

The initiatives you're taking to suck money out of communities across this province, by way of reductions and by way of job cuts, is putting a damper on the economy and killing the retail sector. It's strangling business, and this piece of legislation, however nicely wrapped, an opportunity for you to play Santa Claus at Christmas, is still, in my mind, a cynical attempt to do nothing.

2040

The Acting Speaker: Further debate? The chair recognizes the member for Wilson Heights.

Mr Kwinter: I don't plan to dwell very long on this, but I wanted to add some comments.

I want to agree with my colleague from Mississauga South when she said that in effect Boxing Day in many communities is wide open anyway and that all we're really doing is bringing some order to it. I think it's true. The situation that exists today with Boxing Day doesn't bring any kind of glory to us as legislators, because the day after Christmas and the day after Boxing Day the papers are filled with storekeepers who defied the law, who have been arrested; some haven't, some have, so you have a situation where there really isn't any uniformity of

the application of the law in the first place. Plus, you have this whole area where, for example, Metro Toronto has declared that on Boxing Day all of Metro will be declared a tourism exemption area.

When you have a law that is abused in so many ways, it really brings disrepute to us as legislators. It creates problems for people who don't know whether they should or whether they shouldn't, and there's always speculation, "The major chains have decided this time we're going to do it, we're going to defy the law," and every time that happens it creates a problem. So I have absolutely no problem with the legislation.

I have a problem, and I think there are some cynical aspects to it and I'd like to enter that into the record: In order to make this more palatable to some groups, there is the implication that first of all this is permissive. It may be permissive in a small town where you have a merchants' association or a chamber of commerce that can actually canvass their members and say, "Let's do this as a group: Are we going to stay open or are we not going to stay open?" If they can come to a determination, then of course it is permissive. But certainly in the major urban areas that can't happen, so you get this patchwork quilt where some are open and some aren't and you get a lot of animosity when some people have to work and some don't. I think the idea of trying to sell this on the basis that it's permissive is a sham; it is important that if you're going to do it, do it and let the people make their own determination.

The same thing applies to employees. Again, in trying to sugar-coat it you're saying, "If you are an employee you cannot be forced to work on Boxing Day." The reality of the situation is that if you are a proprietor, a storekeeper, a manager, and you have an employee whom you need and that employee doesn't show up, yes, that employee can enforce his or her rights under this bill and say, "The legislation allows me not to have to come in." But regardless of that, in the mind of that manager or that proprietor or that employer, here is an uncooperative employee and, "I'll remember that in the future."

So you put pressure on that person, whether you like it or not. The legislation is there, without question, but the pressure from fellow employees, from management is going to make it very difficult.

The same situation takes place in a shopping mall, where this particular bill provides protection for those even on a retroactive basis, regardless of what the lease says, that if they choose to close on Boxing Day there can be no sanctions imposed upon them by the mall managers or the mall owners. That sounds fine in theory, but in practice the last thing a mall manager wants is a dark spot in the mall when everybody else is open.

So there's going to be tremendous pressure, and when that lease comes up for renewal or somebody wants to get a different location, if they want to renegotiate the percentage lease — in shopping centres all sorts of things have to be done on a cooperative basis, and if the mall manager feels that — you know, one hand washes the other: "If you won't open on Boxing Day, I'm not prepared to renegotiate your percentage lease and I'm not prepared to give you any other concession that you want." So that is a concern to me.

I feel that we have long since gone past the stage where one day out of the year is going to make or break anybody, from an economic point of view. But it is going to apply a lot of pressure to those people who, for whatever reason may think they have a religious reason, who may think this is part of their Christmas celebration, who may feel, for whatever reason, that they would like to take a stand but somehow they can't do it. I would have been a lot happier, had the bill been brought in and said, "Boxing Day will be removed as one of the days under the Retail Business Holidays Act and this is the situation, period," and just let it go at that.

You've set up a straw horse that is going to be out there with people disputing things because the legislation says certain things and you're going to have a major problem in some areas. In most cases people won't even notice because they didn't notice before, because of the particular restrictions that have not been imposed, because of the laxity in the administration of the law and because it has been such a patchwork of compliance and non-compliance.

I suggest that we get on with it, that we get the legislation passed, but don't think that somehow or other you have put in the safeguards that are going to provide ample protection for these people. I think that in the final analysis it's not going to be there. Thank you.

The Acting Speaker: Comments or questions?

Mr Wildman: I would like to congratulate my friend from Wilson Heights for his thoughtful remarks. I think it's important to recognize that the provisions in here will be very difficult to enforce. I said somewhat jocularly while the member was speaking that many workers will have about as much protection as Bob Cratchit before Ebenezer Scrooge had the visitations from the ghosts and reformed in his attitude towards his employee and towards the world in general. The fact is that if the worker says, "No, I don't want to come in on Boxing Day," the employer will almost inevitably see this as an uncooperative individual, and perhaps over a period of time, as the member indicated, will put pressure on the employee or may find some other reason later on to discharge the employee or use some other kind of disciplinary action.

In those kinds of cases I have no idea how these provisions will work. Perhaps they will, but I think the member has raised a very important concern. I suppose we could all hope that employers would not act this way towards their staff, that all would agree, that the employer would ensure that the employee has enough coal on the fire so that he doesn't get cold the way Bob Cratchit did. But unfortunately I'm not sure that all employers treat their employees in that way, and unfortunately we don't have Charles Dickens to reform them all.

Mr Hudak: I commend the member for Wilson Heights on his sensible stand on the issue. It's good to see that members of the official opposition, I anticipate, will support this bill to finally allow Ontarians an opportunity to shop in Ontario and allow our police forces, on Boxing Day, to go to more important front-line duties than trying to figure out who has a regional exemption to the Boxing Day Shopping Act and who does not.

I find it passing curious that the third party objects to this bill on the grounds that workers will be forced to work on Boxing Day without an exemption, without the ability to say, "No, I'd rather stay home with my family." This is the very same party that allowed Sunday shopping, shopping on the Sabbath for many Christians in Ontario, and on those days the exact, same protections were given to workers that we're giving to workers under this bill. I find it rather curious that what was good enough for them they're suddenly objecting to in this bill.

The way I look at it is that in a very open and honest way workers will have the chance and the opportunity to work. With some retail experience myself in retail management, in hiring people to work on weekends and on holidays, we have to realize that it is mostly students who work on these days. It's a chance to help pay for those extra books or the tuition to put themselves through school, the opportunity to work that extra day, maybe some overtime hours; or a low-income single mother perhaps, a chance to work so she can buy those extra gifts to put under the tree this Christmas, to save up for her own child's education.

2050

The way I look at it, as a Conservative and a member from the Niagara Peninsula, I'm tired of seeing everybody go across the border shopping when they could be spending the money in my riding, in Port Colborne, Fort Erie, Niagara Falls or St Catharines. I see this as an opportunity for people to work, to save up and have some money for Christmas or to save for their education; not as any kind of punishment, but as an opportunity for people in Ontario.

Mr Colle: The member for Wilson Heights certainly offers some very valid commentary on the bill, and there are I think legitimate concerns that he raised about the fact that whether or not an employee wants to work on Boxing Day, he or she basically would be forced to do so because there is a shortage of good jobs. There are a lot of part-time, low-paying jobs, but to keep that good job, you're probably going to have to work Boxing Day whether you like it or not.

What I think the member for Wilson Heights is trying to bring to this bill is the human element of it. Certainly we can't go on the way we've been going, and I think this bill tries to rectify that, but I think it's right for him to point out that there are some imperfections here that put pressure on ordinary people, and also in terms of store owners who sometimes have small family operations. If you're in a busy block like Bayview Avenue in wonderful Leaside and East York, which is about to disappear if mega-Al has his way, you know, if one store opens on that Bayview strip, all of them will have to open. They'll have no choice. Even though you may want to be at home with your family, that choice is going to be removed.

I think what this bill does is something that's perfunctory in nature, but we must not think that this bill is all of a sudden going to create all kinds of employment opportunities, because people are maxed out on their credit cards. They're not going to find this such a wonderful day. It's going to remind them how much they are in debt and how little they're bringing home compared to

what they did in the past because of all the cutbacks. How about the 700 MTO workers? What kind of Boxing Day will it be for them across this province?

Mr Kormos: Understanding that the bill really isn't necessary, it would appear, to permit stores to legally open here, and hearing some of the very sage comments that have been made over the course of the evening from the opposition benches, one is left with the impression that the government is trying to put some spin on what is going to be a non-event this year, that Boxing Day isn't going to be that orgy of consumerism, because people simply don't have bucks in their pockets.

The member for St Catharines tells us about the workers at Cadbury Schweppes. They're not going to be out shopping before Christmas or on Boxing Day. The workers at Stelco in Welland, forced to hit the pavement on their picket line, forced into a strike to protect pension rights, there's no Christmas for them and their families. There's no shopping either today or tomorrow or, for that matter, on December 26, and that goes for thousands of families across this province, many of them right in Niagara region, which has among the province's highest unemployment, where you see workplace shutdown after workplace shutdown. There is no Christmas and there is no Boxing Day for these people.

This government is trying to put a spin on this that contradicts the reality out there. This government hasn't delivered one of the 725,000 jobs that it's promised. Unemployment is higher now than it was a year ago in December 1995 here in Ontario. The poorest of Ontarians have been victimized by this government and are forced into food banks and into hostels because they're being evicted from their homes. They can't afford to buy groceries, never mind gifts. This government is trying to turn a sow's ear into a silk purse, and nobody is buying it.

The Acting Speaker: The member for Wilson Heights has two minutes to respond.

Mr Kwinter: I want to thank members from all sides for their comments. I welcome them and I appreciate your contribution to the debate.

I would just like to talk about two other things. One is the idea that somehow or other this Boxing Day opening is going to create some economic bonanza. The disposable income on Christmas, other than gifts that have been transferred in cash from one party to another, is going to be virtually the same on December 25 as it on December 26. It's really a matter of convenience more than creating more economic activity. The amount of money that a person has is not going to dramatically change, as I say, unless there are some cash gifts given at Christmas.

I think the convenience factor is important. Obviously it's important to a lot of people. There are lots of people that I know who were opposed to Sunday shopping but have found that it's quite convenient for them to shop on Sunday. They utilize that opportunity, and I think they should have that right.

The other thing is that in particularly small mom-and-pop stores, there are shopping patterns where people go there as a matter of course because they have a comfort level. They know the people, they know where everything is on the shelves, they can get in and get out very

quickly, and one of the things that a proprietor of that kind of operation does is try to make sure that their customer doesn't go somewhere else to break that pattern. It's very, very important to them. As a result, they have no choice. When there's a possibility that their competitor is going to be open, whether they want to be open or not, just out of self-preservation to maintain their market share, they are going to have to open. I just want to dispel this view that the storekeeper doesn't have to open if they don't want to. In effect, if their competitor is open, they really have no choice.

The Acting Speaker: The member's time has expired.

Mr Runciman has moved second reading of Bill 95. Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it. I declare the motion carried.

Shall the bill be ordered for third reading? Agreed.

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GOOD FINANCIAL MANAGEMENT ACT, 1996

LOI DE 1996 SUR LA BONNE GESTION DES FINANCES PUBLIQUES

Ms Bassett, on behalf of Mr Eves, moved second reading of the following bill:

Bill 93, An Act to amend certain statutes administered by the Minister of Finance to promote good management of the Province's finances, to implement certain provisions of the 1996 Budget and to implement other aspects of the Government's agenda and to amend the MPPs Pension Act, 1996 / Projet de loi 93, Loi visant à modifier des lois dont l'application relève du ministre des Finances, à favoriser la bonne gestion des finances de la province, à mettre en oeuvre des dispositions du budget de 1996 et d'autres éléments du programme du gouvernement et à modifier la Loi de 1996 sur le régime de retraite des députés.

Ms Isabel Bassett (St Andrew-St Patrick): The Good Financial Management Act is one that places great emphasis on streamlining government and making taxpayers' access to government easier and less cumbersome. This is an important piece of legislation because it works to improve administrative effectiveness and efficiency while maintaining the integrity of the tax system. Taxpayers will now find it much easier to deal with the administrative aspects of the tax system. Tax legislation will be easier to understand, compliance costs for taxpayers will be reduced and government administrative costs will be reduced.

Some of these administrative changes include:

(1) Simplifying certification and filing requirements for the cooperative education tax credit.

(2) Vendors under the Retail Sales Tax Act who honour a lowest-price guarantee can now refund the difference in retail sales tax collected between the original selling price and the price established by honouring the lowest-price guarantee.

(3) It will ensure that corporate tax returns can be reassessed for consequential charges to Ontario taxes resulting from reassessments performed by the federal government or other provinces.

These are just three examples that make government work better for the taxpayers of this province.

This bill does exactly what we said we would do. We said we'd make government simpler and less of a burden on citizens while at the same time reducing waste and reducing duplication.

This bill makes amendments to the cooperative education tax credit originally introduced in Bill 70. The effective date for placements qualifying for this tax credit has been moved back from September 1, 1996, to August 1, 1996. This is because after lengthy discussions with administrators in Ontario's secondary institutions, we concluded that some fall work placements began before September in order to smooth the transition between the summer and fall work terms. Since the intent of the cooperative education tax credit is to have it apply to all 1996 work placements, the amendment we are proposing will ensure that this credit is extended to benefit placements that started their co-op opportunity in August of this year.

We have stressed on many occasions that restructuring government to make it simpler and more responsive to the needs of citizens is good for taxpayers. This act will streamline the borrowing, investing and financial management activities of the government by moving these activities to one central agency.

Currently each ministry or agency manages its own financial activities. It makes more sense to consolidate these activities into one central agency, in this case the Ontario Financing Authority. That allows the experts, whose primary function is the management of billions of dollars of investments and financing arrangements, to extend their expertise and knowhow to these activities and the needs in other government institutions. This is certainly in line with our efforts to improve the way government does business and to find the best way to deliver our services to taxpayers.

Bill 93 includes some technical amendments to the MPPs Pension Act, 1996. Members whose service in the assembly was prior to 1992 may now qualify under the registered pension plan. MPPs will now be able to buy back their past service up to a maximum of 15 years of service and 75% of salary only, based on the highest 36 months of salary. Prior to this, some members were exceeding the 75% limit. This was never the intention. We said that we would end the goldplated pension plans and tax perks for MPPs. This bill puts the finishing touches on this commitment.

Prior to this bill, this government spoke with many stakeholders in various business communities who provided their advice and suggestions by actively participating in consultations with us. These consultations have made for better government policy that is more reflective of the needs and concerns of the citizens of Ontario.

We appreciate and value the input we got from Ontarians from all parts of the province. It provides an opportunity for them to be heard and it provides us with insight into what the people of Ontario are looking for and what they want from their government.

This bill implements changes that make government work better: good changes for good government.

The Acting Speaker (Mr Bert Johnson): Questions or comments? Further debate.

Mr Monte Kwinter (Wilson Heights): Could I get unanimous consent to share our time with the member for St Catharines and the member for Yorkview?

The Acting Speaker: Agreed? It is agreed.

Mr Kwinter: I am pleased to participate in Bill 93, which has been referred to as the Good Financial Management Act. I find it somewhat ironic that every time the government brings in a bill, they put a title on it that gives it some sort of a spin so that when you look at it, it's a good-news kind of bill. As it turns out, this particular bill isn't too bad only because it gives effect to initiatives that were tabled in the budget, and I have no problem with that. I do have a problem with a couple of the specifics, but those are just concerns rather than problems.

Specifically, I hope I can get an assurance from the government on the Retail Sales Tax Act amendments, where they do such things as remove the sales tax from seeing-eye dogs, which I think is a wonderful idea, but they are also ensuring that tax is payable when tickets are purchased for some sort of cultural events. When you consider that this government has taken a conscious decision to make a lot of the cultural entities financially self-sufficient and told them they can no longer depend on the government for any sort of contribution — they have to go out to the private sector and raise their funds that way — we now have a situation where a sales tax is being imposed on the tickets for such things as ballets and concerts and things of that kind, which may deter some people. It may not but it may, and I think anything that has that possibility is something to be avoided.

I don't think you can take on the one hand and then take on the other hand as well. I think it should be just the opposite. I think what you would do is decide, and this is the prerogative of the government of course, to say: "We are no longer going to be supporting this but here's what we're going to do to help you support yourself. We're going to give you some sort of a concession. We're going to remove a particular tax. We're going to make it more conducive for people to support you and take the burden from the government." As I say, I have no problem with that at all but I do have a problem where you're taking on the one hand and you're taking on the other hand.

Having said that I have no problem with the specifics of this bill other than in isolated areas where I think there could be an adjustment, I do have a problem with the overall financial thrust of this government. Today we were at the economics and finance committee and we had officials — the Deputy Minister of Finance there with his staff — to present to us a presentation outlining Ontario's strong economy and how it's going to create jobs. It was really quite interesting because in the presentation there were certain assumptions that were made and they all are hinged to the budgetary policies of this government, to this particular act and the initiatives that are outlined in it.

My concern is that it is a best-case scenario. Notwithstanding that the officials from the Ministry of Finance are saying, "We have really done our projections in a quite small-c conservative way. We think that we can meet them; we think we can probably exceed them," the figures don't really bear that out.

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To give you an example, one of the interesting things about it is that the government tries to portray that the economy is really booming along, that they are right on target, that their projections are even better than they had anticipated, and yet if you take a close look at the figures, you see they got lucky. They really did get lucky, and if they hadn't had that luck, the numbers would be significantly different.

Let me give you an example. For the 1995-96 fiscal year, the government had projected in its fiscal plan that the revenue would be \$46.786 billion and the actual was \$48.359 billion, so there was a change of about \$1.5 billion. That could only come basically from three sources: increased revenues from corporate taxation, increased revenues from personal taxation, and realization on the selling of assets. Somewhere along the line a combination of those three things happened. The chances of it having been personal income is very low, for a couple of reasons. First of all, the economy, particularly for consumers and people, has been very bleak in the last few years, and although there are signs that it is improving, it hasn't improved yet. So it can only be from two areas, and that is corporate profits — every day you look in the paper and you see the Royal Bank announcing that it has got record profits, or this company's got record profits and that company's got record profits. That of course realizes additional revenues for the government. So they have a \$1.5 billion of windfall money that they had not projected in the budget.

Another interesting thing, and this is something that when the leader of the third party, now the Premier, was running for office, he was very adamant in saying: "The problem with the finances of Ontario is not a matter of revenue. We have lots of money. It's a matter of expenditure. We've got to cut our costs." He went into Windsor and threatened to shut down the casino because he didn't need that money. He said: "We don't need that money. We have lots of money. Our problem is we're spending too much." Having said that, and with their vaunted policy of getting rid of excess costs, of trimming members of the public service, of cutting programming, of doing all the things to get their fiscal house in order, they actually had an increase of program expenses in that period of \$1.6 billion. So that windfall revenue that they got, they actually exceeded that amount of money, of revenue, by increasing spending.

The other significant area that has created this positive perspective on the financial statement is the fact that interest rates have dropped dramatically, so dramatically that in 1995-96 the savings on interest alone was \$714 million. To put that in perspective, people should know, those in the House and those who are watching on television, that at the current projection, the deficit for the province of Ontario for 1995-96 is going to be \$8.7 billion. That is what the deficit is going to be, a very significant number, a number that is so significant that prior to 1990 it would have been unbelievable that any government would incur such a debt.

The thing that's interesting about that number is that the interest to service the debt of the province of Ontario, which is in the \$100-billion range, is \$8.25 billion, so

you have a situation where the interest every year is as great as the deficit. It is a huge number. In all the projections and in all the speeches that the government gives and the Minister of Finance gives and the Premier gives and everyone else gives, all they talk about is that by the year 2000-01 they hope to balance the budget, and that this balancing of the budget is going to take place, if all things go well, one year after their mandate.

What they don't tell you — and they are very fond of heckling and saying the debt is \$100 billion. They totally allocate that \$100 billion to the last 10 years, when in fact in 1985 the debt of the province of Ontario, which had been ruled by the Conservative Party for over 40 years, was approaching close to \$50 billion at that stage.

Mr Wayne Wettlaufer (Kitchener): It's \$47 billion.

Mr Kwinter: My colleague says \$47 billion. That's pretty close to \$50 billion when you're talking —

Mr Douglas B. Ford (Etobicoke-Humber): What's \$3 billion?

Mr Kwinter: Yes, what's \$3 billion in that magnitude? But what has happened —

Mr Wettlaufer: "What's \$3 billion?" Did I hear you say that right?

Mr Kwinter: I wasn't saying it; they were saying it. I was just echoing what he said.

Mr James J. Bradley (St Catharines): He was repeating the Tories.

Mr Kwinter: That's right. I remember — you certainly wouldn't remember — when C.D. Howe said, "What's a million?" With inflation we're now up to, "What's a billion?"

The point I'm making is that when this government finishes its mandate, under the very best scenario that debt will have reached about \$130 billion. No matter what they do, because of their projections — and I see my colleague across the hall is shaking his head. Let me tell you how quickly and how simply it works. I remember when I was in committee when the NDP was the government and I said, "By the end of your mandate, you will have a debt of about \$100 billion." The members there shook their heads the same way, saying, "It is impossible." But let me take a look at your own figures.

Under the fiscal plan, under the budget of 1995-96, the government has forecast a deficit of about \$9 billion. For 1996-97 they have projected a deficit of \$8 billion. So before you even start, right at the start you're up to \$117 billion. You've got three more years before the end of this mandate. Let's say you take it from \$8 billion to \$5 billion, which is going to take some doing; you're then up to \$123 billion. Let's say the next year you get it to \$4 billion; you're up to \$127 billion. Let's say the next year you get it to \$3 billion; you're up to \$130 billion. So no matter what you do, by the end of your mandate you will have taken the debt of the province of Ontario to \$130 billion, plus or minus, somewhere in that range.

The significance of that isn't just the amount of money but the amount of interest it's going to take to service that debt. If it's costing you \$8 billion a year now with a very low interest rate —

Mr Rosario Marchese (Fort York): On a point of order, Mr Speaker: There is no quorum that I can detect here, and there should be.

The Acting Speaker: Would you check for a quorum, please.

Clerk Assistant and Clerk of Committees (Ms Deborah Deller): Speaker, a quorum is not present.

The Acting Speaker ordered the bells rung.

Clerk Assistant and Clerk of Committees: A quorum is now present.

The Acting Speaker: The Chair recognizes the member for Wilson Heights.

Mr Kwinter: The point I was making before the quorum call was that with a debt in the \$130-billion range even in this regime of very low interest rates, the annual public debt interest is going to be in the range of \$9 billion to \$9.5 billion a year.

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The significant thing about that particular figure is that, given this government's commitment to implement a personal income tax cut, there is going to be a very significant shortfall in its revenues. With this ever-increasing interest rate debt that is going to be added on to the total debt, we're going to find ourselves in a shortfall position, which is exactly why we keep harping on the Minister of Finance: "Why don't you tell us why it is that you're borrowing money to take care of this interest rate situation when it could be better be spent in reducing the deficit and reducing the debt?"

We have a situation where this financial management act that we are debating today does in fact give the government some leeway. There are provisions in there, for example, where they can take profits out of the crown corporations and use them for their own purposes. But at the end of the day, when you take a look at the financial structure, if everything goes absolutely right, if every projection is, as the former Treasurer used to say, spot on, you still have a problem.

On the other hand, if some of the windfall revenues that have come this government's way suddenly change, for example, if interest rates suddenly start to go up, if revenues do not meet the projections of the officials in the finance department — and that could happen for a variety of reasons. They're putting a great deal of store in the fact that this tax cut is going to find its way back into the economy as increased revenue, because it's going to stimulate sales, with the taxes that will come from that, and there should be an impetuous to growth and to the GDP. But what if it doesn't happen?

I think it's significant that we just had an opportunity to view an election in the United States where Bob Dole, who I would think had an economic philosophy that was very similar to that of the Conservative Party, tried to float a tax initiative of a 15% personal income tax cut. What I found interesting about that is not that it didn't catch hold, and it didn't in any way get them to the point where it turned the tide for him in the election. But that in reading the US financial media, almost exclusively — and I'm not saying exclusively because there were some who were supporting it — the financial analysts absolutely discounted that particular initiative and said it would not help the economy, it would not work. If anything, it would compound the problems that could be present if there is any sort of economic downturn.

We have a situation where we've gone through a period that in many ways was artificial in the sense that

as a run-up to a presidential election lots of things are happening. Our friend Mr Greenspan was under tight reign not to do anything to upset the apple cart, to do nothing that was going to create problems for the President, and he's just sitting there waiting to make some moves now that the election is behind him. As you know, what happens in the United States invariably has an impact on what happens here.

It was interesting that at the committee today the deputy minister was extolling the virtues of the Ontario economy. What he didn't say is that the reason the Ontario economy is performing as well as it is because we are so heavily export-dependent. The United States auto industry is booming and we are the net beneficiary of that. If that should change and if we find ourselves in a position where the United States economy takes a dip, we will immediately feel that. It will automatically reflect on a lot of the things that we now export to the United States, and we will suddenly find that we are in a more difficult situation.

The officials at treasury went on to say — and were quite proud of that fact — "We understand all of these things, we understand these things could happen, but you should be aware that we have a \$650-million cushion, a contingency fund that is in there, and if any of these dire things that might happen do happen, we are in a position to weather it because we have this \$650-million cushion."

My concern is, what would have happened this year if that \$725-million windfall from the lowered interest rates hadn't been there? What would have happened if the increased revenues of close to \$2 billion hadn't been there? That \$650 million would have been gone, would have been finished. Not only would that \$650 million be gone, but you would be in a net deficit position on that item alone.

I really feel the government should take a look at what it is doing, because the first part of the so-called Common Sense Revolution is easy. When you send prisoners from halfway houses back to prison, most people other than their families don't really care. They think, "They're prisoners; they should be in jail." No problem with that. When you go after welfare fraud, other than those people who are perpetrating that fraud, who is going to object to taking taxpayers' money that is being fraudulently received and cutting it out? Nobody. There's no problem. When you talk about ending duplication, when you talk about ending redundancy, who is not going to support that? Hardly anybody, except of course those people who are going to be directly impacted by it.

But now you're down to the nitty-gritty. You're down to the short strokes. I've been here for a while and I can tell that just by the responses I'm getting from constituents. Just because they're constituents doesn't necessarily mean they're supporters; they cover the whole spectrum of political alliances. Suddenly, I have people who tell me they've never called in their life who are concerned about the fact that Branson hospital is going to have its role changed.

Tomorrow morning at my constituency office, I have a group of parents who want to talk to me about education. These aren't teachers, these aren't school trustees, these are parents who've called me. Again, I have no idea

what their political affiliation is. They said, "We would like to come to talk to you about our concern with education."

What is happening is that when you're out there — and I haven't seen this before — there is a muttering from other than what my colleague Mr Bradley calls the chattering classes, the people who call into the talk shows. These are ordinary citizens who are saying, "I like what these guys are doing, but they are starting to do things that are creating some problems and I want to talk to you about it."

My message really is: Eliminate waste, no question; eliminate duplication, no question; eliminate those areas where economies and productivity can be improved, absolutely; but when you start cutting into the core values of what's made Ontario what it is, then you're starting to tread on areas that are fraught with danger not just for one party but for all parties. What you are in danger of doing is fracturing this very fragile thing that is Ontario, this very thing that has made this the kind of place that we are all proud of, that we hold out as a model for other jurisdictions around the world, and once it is gone, it is gone.

I say to you in closing, I caution you. Do what you have to do, but just don't do it blindly. Do it in a way that we preserve those values that have made Ontario the jurisdiction that it is.

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Mr Bradley: Thank you very much for the opportunity to participate in the debate on this important bill which the government wishes to proceed with tonight. I think it probably will receive that, because it is largely an administrative bill. It is, however, in the context of several things that are happening. It's a budget bill. Therefore one has to discuss the entire budget if one is to discuss a budget bill, and I'm going to take advantage of the opportunity to do so now.

For instance, if this bill makes the government more efficient, perhaps the government will then be in a position to keep the worker adviser office open in Thorold, Ontario. This is a Workers' Compensation Board operation. It's actually independent from the Workers' Compensation Board, but it assists people who have claims with the Ontario government's Workers' Compensation Board.

These are largely people who aren't fortunate enough to have a large union with the expertise and the resources to carry out this responsibility. Local 199 of the CAW in St Catharines has that resource, has the necessary trained people and assists its members. However, there are many people who don't have that kind of union or don't have a union at all and they require the services of this office. Within the budgetary policy of this government should be the necessary funding to continue this office operation in Thorold at the present time; not to reduce it by 30% but to continue it, because already the volume of work at that office is tremendous.

The people in Hamilton may say, "Why don't you simply transfer that to the Hamilton office?" but my colleagues who represent areas such as Stoney Creek and Flamborough and Dundas and the city of Hamilton recognize fully that that office is also a very busy office and cannot take on more capacity.

In addition to that, an appropriate allocation should be made for the operation of the Ministry of Labour office in St Catharines and other communities to deal with the many complaints that are forthcoming in regard to the Employment Standards Act, particularly as employers put more pressure on some of their employees in the present circumstances, armed with the change in legislation by this government. So I call upon the government within its budgetary policy to maintain this operation.

We talked earlier about people being able to shop on Boxing Day. I'm wondering how many people will be able to spend as much money on consumer goods as they have in the past when they're going to have to pay more for rent because this government is abolishing rent control in Ontario. They will say they are not. Clearly any objective observer who looks at the policy of this government will recognize that rent controls are in effect gone on a progressive basis, that is, over a few years in this province, because as soon as a person moves out of an apartment, that apartment then becomes eligible for a dramatic increase.

This will not make a substantial difference immediately in areas where there's high vacancy — it will in the long run — but it will in areas where there's a very low vacancy rate existing, such as Metropolitan Toronto. I feel for those people of modest income who will see some dramatic increases in their rents.

Over the years, governments have tried to provide sufficient funds for landlords to be able to carry out repairs and renovations to buildings and to be able to make a profit on their operations while at the same time maintaining rent controls, but we have a circumstance today where this government is implementing rent control as part of its budgetary policy. No doubt once again the fund-raisers will be full of the huge landlords. I'm not talking about the small landlords, I'm talking about the big landlords across this province who will be sending large donations to the Progressive Conservative Party.

Again, the Minister of Municipal Affairs will be delighted because there will be a building boom for those large halls to hold the Tory fund-raisers. That is simply the case as well with the special deal he's giving to developers at the expense of surrounding municipalities and municipalities across Ontario, because they will now be restricted in the development charges they can apply in order to maintain their services and provide new services in the community, and this at a time when the transfers are being cut back considerably by the province. I can't believe that even the Tories on council, the apologists for this government, those who worship at the idol of the Common Sense Revolution, will be able to defend this among their own colleagues on city, regional and county council.

We're seeing some substantial changes being made to the Workers' Compensation Act, and this relates to government budgetary policy as well. Workers in this province, who have been protected in years gone by, those who have been unfortunate enough to be involved in an industrial or workplace accident, have been able to obtain compensation and rehabilitation services and, where they're unable to return, have been able to obtain a pension which would allow them a decent standard of living.

This government is vastly changing the rules and is not taking into account some of the recommendations made in the report by the Honourable Mr Jackson, the member for Burlington South. As he travelled around the province and listened to some of the people who made representations, one of the things he recommended, and I saw it in his recommendation, was that banks be —

Mr Marchese: On a point of order, Mr Speaker: I don't believe there is a quorum.

The Acting Speaker: Would you check to see if there is a quorum, please.

Clerk Assistant and Clerk of Committees: A quorum is present, Mr Speaker.

The Acting Speaker: The Chair recognizes the member for St Catharines.

Mr Bradley: I was worried, along with the member for Fort York, about whether there was a quorum. I was in mid-sentence, I recall — that much I do recall — talking about the Workers' Compensation Board changes, the changes to the act which will adversely impact upon workers in this province.

There isn't anybody in the province — worker, worker adviser, representatives of unions, representatives of business, employers — who didn't see a need for efficiencies at the Workers' Compensation Board. Everybody had problems and wanted to see those problems solved. What we're seeing instead, I'm afraid, are takeaways from workers in this province. I know there will be rallies and public meetings across the province where this will be drawn to the attention of the government.

I also wonder how this will help the people who are employees of businesses which were closed down, that is, businesses which employed people for a number of years. I think of Foster Wheeler in St Catharines, a major industrial component of our community, long-time, which has severely downsized and restructured and, who knows, may disappear some day. I think of Kelsey-Hayes's Conroy division, in the centre of the city of St Catharines, which recently closed its doors and left its employees out in the cold because it ceased its operations in St Catharines. I think of Court Industries. Court Industries has been quite successful and I'm pleased with that, but one of its sections moved to the United States. I have seen Cadbury Schweppes, the Mott's division, closing down and leaving 175 people out of work in my community. I think of Phona Corp, which closed its doors, and the list goes on. Even General Motors has lost a lot of employees in our community.

When you talk to someone who hasn't been to St Catharines for about 15 years and they come back — perhaps they've been overseas — and you ask them, "How many people do you think are working at General Motors in St Catharines?" they'll probably say, "Well, just under 10,000." In fact, there are now about 5,200 people or 5,300 people working at General Motors.

Our community has seen a tremendous impact of a downturn in the economy. What I'm concerned about — I directed a question to the Minister of Economic Development, Trade and Tourism, and I directed this to the Premier as well, about his view of those corporations which today are making unprecedented profits while at the same time turving people out the door.

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I go back to a point which I think is important to all of us. When a corporation was not making money, when it was losing money, when its sales were down, when its services were not being purchased, we all recognized that there would be layoffs. None of us liked it, we all lamented it, but we understood why. What people have a hard time believing today is that companies can be making unprecedented profits while still laying people off, while still turving people out the door. I find that most unacceptable.

When the Premier attended a conference in Davos — he may have had the minister with him at the time — one of the topics that was discussed on that occasion was business ethics and how they apply to people. In fact, it was the sponsor of this conference who raised that issue with industrialists and politicians who were there, and how we address this. I think there's an obligation to people, when they're making a lot of money, to maintain those employment levels so we have people working in our communities. I'm pleased to see it when that happens. I'm not opposed to profits, because profits mean that a company should be thriving. What I'm opposed to are huge profits at the expense of workers, in other words, when the workers are turfed out the door where those profits are being made. I think we as a society have to address that.

I look at the agricultural land that is missing in our community. My friend the member for Wentworth East is here this evening. I look at his community, and I know, just as in adjacent Grimsby, people say: "Isn't that great? There's progress." They build those warehouses along the highway that make you think of going into east Cleveland as you drive in. Yes, they may employ a few people, and yes, all the subdivisions are being built, but in Grimsby they're largely for people who have nothing to do with Grimsby but simply want to use the price of those homes and then they take a hike to Toronto or perhaps to other places. If tomorrow General Motors or Ford or Chrysler were to put a huge plant in Grimsby, one would understand using up that prime agricultural land, but we're certainly not doing it on an appropriate basis now.

Mr Marchese: On a point of order, Mr Speaker: Mr Bradley was saying a lot of important things that I agree with. I think the Tories should be listening to the speech, and there's no quorum in the House.

The Acting Speaker: Is there a quorum?

Clerk Assistant and Clerk of Committees: A quorum is present, Speaker.

The Acting Speaker: The Chair recognizes the member for St Catharines.

Mr Bradley: I'm pleased again that the member was concerned about a quorum and has ensured that there is one here.

If you want to see a positive impact on the provincial budget and this budget bill and the general economy, you will want to preserve our agricultural industry and our agri-tourism industry. A proposal went before cabinet to approve a subdivision called Twenty Valley Estates. This subdivision is built on an important part of escarpment land, land which is conducive to the growing of grapes. Those who have ventured into the Niagara Peninsula — I

know the Minister of Economic Development has been there — will recognize the importance of the wine-producing industry in Ontario and the grape-growing industry which supplies that industry. What we have when we allow agricultural land to go willy-nilly, holsobolus to unnecessary development is that we find we are losing an important industry in our province.

I also see Niagara on the Green being approved by the local government, the regional government, completely contrary to the official plan of the regional municipality of Niagara. We're going to have big-box retail right out on the highway, along with some subdivisions, in a place it simply doesn't belong. I implore the government of Ontario, if it has a final decision on this, to turn down this development. I would like to see that land used for agricultural purposes. It is not zoned for agricultural purposes. It is instead zoned for industrial purposes, I guess you'd call it prestige industrial. If it's zoned for that purpose, that's the purpose it should be used for: high-tech industries, computer industries. The land is conducive to that. But instead we have a huge development taking place out there, which is absolutely ridiculous.

I want to also talk about the transfers to municipalities. My good friend the member for Rosedale is here; the member for St George-St David is here this evening. I noticed, as perhaps you did, an article on him in last weekend's Toronto Star — very favourable, and showed him with his dog, Tory — and I was delighted to read all about that.

But I want to tell him that municipalities are feeling the impact of the cut in his transfers to them. In years gone by, if municipalities did not receive at least a 5% increase, we heard a howl from many of the Tories who sat on those councils. Today the cat has many tongues in those local councils, because some of the Tories are apologists for what you're doing, instead of, as some do — I must give some of them credit — challenging the government. All you are doing is transferring the cost to local municipalities, so they have to make either severe cuts in essential services, and one need only look at the condition of local roads to know what some of those services are, or they have to increase the municipal property tax, which is regressive because it does not take into account a person's ability to pay.

The municipalities are feeling the impact of this government's fiscal policy, and some of these people who were on municipal councils in years gone by and who counted upon the appropriate financing coming from the provincial government, which has sources of progressive taxes, not regressive taxes, must be deeply disappointed in this government's fiscal policy as it relates to municipalities.

Now the government is closing hospitals all over Ontario, and I know that's going to continue. I hope the people of St Catharines are watching, because we are going to be next. They're going to send in their hospital-closing commission, as I call it, and they're going to close hospitals unless the community indicates clearly its opposition to this.

What they've done is set up a local commission. It's ably headed in our area by Rob Welch, who is a former

regional councillor, and he and his group have gone around the Niagara Peninsula in what I think is a useful exercise, a very useful exercise. They're consulting to determine what the needs are in terms of health care and how they can be best met.

The real problem is that they are dealt a hand, if we can use a card analogy, which isn't very lucrative. In other words, they've been told they have \$38 million less in hospital funding to work with. Well, I can expect that this commission is going to come up and say, "We're going to have to do something drastic to our hospitals." But if you simply sent out the commission and said, "Let's not look at the levels being reduced yet; you tell us objectively what the needs are, what efficiencies can be effected, what restructuring can take place," I submit to this Legislature that what would happen is that we wouldn't get recommendations to close hospitals in our part of the province.

I well remember, because I watched the debate between the leaders during the last election. Robert Fisher, the eminent journalist from Global Television, during the leaders' debate —

The Acting Speaker: Excuse me, members. There are too many conversations going on. I would appreciate it if you would confine them to something that's acceptable or carry them on somewhere else. There are a lot of people interested in the comments the member might be saying.

Mr Bradley: That's very kind of you, Mr Speaker. I know that you think carefully and compassionately about members of the Legislature trying to be heard.

2150

I'm trying to reach the Conservative members because I hope they will put the breaks on what the government is doing. But they will want to be reminded, because I didn't hear one Conservative in Ontario talk about closing hospitals in the last election, they'll want to hear what Premier Mike Harris said during the leaders' debate on whether or not his promise to protect health care meant that he would not close hospitals. Here's his answer. This is in the debate. This is what people are watching. This was what convinced a lot of people to vote Conservative, because of what the Common Sense Revolution presented, the plan that you call the Common Sense Revolution. People wanted to know, "What does this mean for health care?"

Robert Fisher asked Mr Harris whether this meant he would not close hospitals. Here's the answer from now Premier Mike Harris when he was the leader of the Conservative Party, leader of the third party. Premier Harris said, "Well, certainly I can guarantee you that it's not my plan to close hospitals."

This is a surprise to the members, to those in Thunder Bay, to those in Sudbury, to those in Sarnia and district, to those in Pembroke, to those in Ottawa, to those across the province, in Wiarton and other places. This is a surprise, because they clearly understood from that statement that the government would not be closing hospitals.

They can manipulate the words around all they want about restructuring and so on. Clearly people did not believe there would be hospital closings. I'm convinced that my good friend, who was a Conservative candidate

in St Catharines, Dr Archie Heide, who worked so hard to build up hospitals in St Catharines and to provide the necessary services — I can't believe that he would have believed when he was a Conservative candidate that Premier Mike Harris, through his health minister and through a huge commission out there under Bill 26, would be wanting to close hospitals.

But that's a very real reality, because what this government has done successfully — and I guess as a politician, some might admire you; I do not. But you've successfully intimidated people at the local level of government and in transfer agencies so that district health councils are running scared, so that local hospital restructuring commissions are running scared, so that hospital administrators don't want to say anything because they're afraid if they register a complaint it will be their hospital that's closed. We have a conspiracy of silence out there, silence until you actually make a decision on which hospitals you're going to close. I can tell you, when you come to close hospitals in St Catharines, here's one member who will not sit idly by to allow you to close those hospitals.

I know out there the chattering classes, those who engage in crackpot realism, will say, "Well, it looks like we're getting \$38 million less, so I guess we'd better cut off our leg at our ankle because if we don't, the government will cut it off at the hip." What I'm saying is that you don't have to cut it off at the ankle either; you simply have to defend those services that you have. Yes, try to make them efficient; yes, try to avoid some of the duplication that might be there; yes, try to do a good job. But don't go around closing hospitals that people have worked so hard to establish and develop, hospitals that provide essential service to people.

Just ask somebody today who was in the hospital 10 years ago and now in the hospital today what the service is like. The poor nurses who are in there have a challenging time. They are overworked, they are overburdened and there are fewer of them and other hospital workers. So you see a substantial change in the quality of health care as a result of this government's severe cutbacks in funding for hospitals in this province.

There's also the loss of jobs. The member for Renfrew North said not only was it a loss, the hospital that was closing in his community, of medical care to people and that's the most important, but it was also a substantial loss of jobs in the community, people who had jobs who were able to live in that community. This is the impact on each of our communities.

I say to the government, enough of this closing hospitals. You didn't promise that during the campaign; you suggested the opposite. Enough of this to feed your crackpot tax scheme that you want to implement when you don't have a balanced budget.

I know where you think you're going to get some of the moneys: You're going to get the money from video lottery terminals, they call them the one-armed bandits, or the electronic slot machines that you want to put in every bar and every restaurant on every street in every neighbourhood in the province.

Why are you doing it? The Premier got up in the House and he was kind of apologetic and tried to suggest that they wouldn't be going into those places. Well,

there's only one motivation, and that is greed on the part of the government for that money, because the Premier knows and the Treasurer knows and everybody in the government caucus knows that money will be bled from desperate people, from vulnerable people, from addicted people and will come into the coffers of the government. It will not be from rich people, unless they happen to be addicted. It's not going to be from the rich people of our society, from privileged people.

The member for Guelph shakes her head. Those who've gone into those places where there's extensive gambling will tell you, if you wanted to say who shouldn't be in there, that's exactly who's in there. The government, when it opens these establishments, knows that's the case. You're going to be doing that in every bar and every restaurant, so people won't have to go now to a casino, so people won't have to go to a racetrack; people will now simply have to go to the local bar or restaurant.

Young people will be affected by this. Young people will be addicted to it. Young people will be allured to it. Young people will be attracted to this —

Mr Gilles Pouliot (Lake Nipigon): Seduced.

Mr Bradley: "Seduced," the member for Lake Nipigon says — to this form of gambling. If they had a conscience over there, they wouldn't be doing this, but they don't have a conscience, obviously. I should be fair. Some of them who didn't show up for the vote that day obviously have a conscience, because they didn't show up for the vote, because they would have been ashamed standing in this House voting for video lottery terminals in every bar and every restaurant on every street in every neighbourhood in Ontario.

I want to look at a couple of other problems that exist. I wonder how the budgetary policy and this bill will affect those who are receiving family support. You've made an absolute disaster out of that situation. Why? Not so much because of the decision you made but because you made this decision rashly and tried to implement it quickly.

I happen to think that the regional offices of the family support plan were valuable tools, because they allowed people to visit them on a personal basis to deal with their many problems. The government decided that shouldn't be the case, that people shouldn't deal directly with people but they should have a 1-800 number, a central number that people could phone into, and they centralized it. I disagree with that move, but if you're going to do it, then do it right. But you're so anxious to effect these huge cuts in services to people to feed that tax cut that you did it in a fashion which caused nothing but chaos.

Who are the victims? Well, the victims are the children of broken marriages, children who were receiving, in the past, support payments. As I mentioned when we dealt with this bill previously, what you did at least was unite formerly warring spouses, because we're getting telephone calls from women who are saying, because it's largely women who are receiving the money: "I am not getting the money, but I know that my former husband is having it deducted at source. Where is the money?" The husband would phone and say: "It's being deducted, but my children aren't getting it. I'm not a deadbeat dad, but

this money is not getting to my children." The place is in chaos.

What did you do when the member for Welland-Thorold and the member for Sudbury East went in with a camera to take pictures? There was a suggestion they should be charged. I thought it was some kind of break-in. When I first heard the news, I thought they were breaking in in the middle of the night and that there was nobody around and that they were taking these files out. Then I find out all they were doing was filming these boxes that were lying around the building. While I don't want to dwell on that, because I think to dwell on that is to detract from the main problem, that main problem being the chaos in the family support plan, I do want to say that the government overreacted in that particular case, because all we saw were the boxes lying around, and we all expected that indeed that's where these things were. So you've botched that.

2200

There are schools across this province that are not being appropriately funded. Senator Gibson school in Beamsville has been waiting for its addition now since this government has been in power and there was a suggestion by the member that it would be at the top of the list. What happens? The children are crowded in that school, and of course they have larger classes now than they used to have and those who are special needs children.

Bette Stephenson, when she was the Minister of Education, Colleges and Universities, brought in Bill 82 to address the needs of children with special needs. But what's happening now is that those needs are not being addressed and we're seeing a decline in the quality of education that's available to students because of the lack of resources which are there.

I want to as well say that the environment is being neglected in this province. Instead of bolstering the Ministry of Environment and Energy, instead of allowing it to have the staff and resources to carry out its mandate, the government is slashing that budget. The previous minister is here this evening, the member for Guelph. I said when she was the minister that what was happening was she was not given the resources, the staff, the tools and the budget to carry out her responsibilities because this government had no priority for the environment. Instead, you are letting members loose at cutting environmental regulations.

While everyone looks at every regulation to see if in 1996 it's needed and applicable, I can tell you there are a lot of regulations in the field of the environment that may annoy polluters but are essential to protect the general public and essential to have a level playing field for those corporations which spent the money, which trained the employees, which were good corporate citizens. There are a lot of them in this province, and they lament the fact that governments will allow their competitors to get away with indiscretions in the field of the environment, because that makes them less competitive. That's why the government has to maintain that environmental component.

I saw an agreement just signed over the Niagara River. It's not worth the paper it's written on, because there are

not the exact details in that agreement to clean up the river that are necessary, not the specific goals set, not the specific monitoring necessary to measure whether those goals are reached and not the language in that agreement that is necessary.

A good agreement was signed in 1987, but it was signed only because the province of Ontario refused to sign the nonsense that was presented to us. The Americans were eager to sign, the government of Brian Mulroney wanted a big signing ceremony, but I looked at that agreement and determined that in fact it didn't have the necessary provisions within it to be an effective agreement for cleaning up the Niagara River, which flows into Lake Ontario, the source of drinking water and recreational water for hundreds of thousands and perhaps millions of people in Canada and the United States. Yet we have an agreement signed this past week that is virtually meaningless. I notice that some of the objective observers, scientists, looked at it and said it was not what it was trumped up to be.

I would hope the minister would go back at that, that the Premier would say, "This isn't good enough for Ontario," because, I can tell you, much of the problem is on the American side. But it won't be solved unless we Canadians, unless we in Ontario, insist that the Americans deal appropriately with those toxic waste sites which are almost immediately adjacent to the river and which are leaching the most deadly substances into the Niagara River.

I notice as well — I don't know what it has to do with this bill, but while we're on it we may as well talk about it — Consumers' Gas apparently has a billing that has come out that has annoyed a lot of people. They said: "Guess what? We didn't calculate correctly this past year, so we want to go back and get money from you, consumers, money that we think is justified." Consumers are calling our constituency offices to complain of that, and I think they have a justified complaint. But no doubt this government is cutting back within the auspices of the Ministry of Consumer and Commercial Relations on the watchdogs that look carefully at this, the Ontario Energy Board being one of those.

The government seems to want to have big government that's not so close to the people. W. Darcy McKeough from Chatham-Kent, in the late 1960s, into the 1970s, implemented regional government in many areas of Ontario. It was supposed to save money, it was supposed to be good for overall planning, and in some cases some of that was achieved. But I don't want the new version of W. Darcy McKeough showing up in the Niagara Peninsula saying, "We don't need our local municipalities, all we need is one huge regional government," because I can tell you that will not be responsive to the needs of individuals within our communities and I suspect the same could be said of many of the communities represented by all members of this House.

I ask the members of the government caucus, put a check on the Honourable Al Leach, the Minister of Municipal Affairs, and put a check on Premier Harris, the Premier of this province, because I know there can be a lot of problems that originate if you implement this. The member in the chair at the present time, the delightful

member for Mississauga South, recognizes the importance of the city of Mississauga and the progress which has been made under my good friend Mayor Hazel McCallion.

I know she would not want to see Mississauga disappear into some morass called Peel where there's only one government in Peel and people don't have access to local municipalities. I know she will pass my good wishes along to my good friend Ms McCallion, who I understand is furious at this government for what it has done in a bill dealing with development charges, but I don't want to talk about that now because it's not within the auspices of this particular piece of legislation.

I want to look at the transfers you have to universities and colleges. If we are to be competitive, everybody says — Conservatives, Liberals, New Democrats, people with no political affiliation, people in business, people in labour, people in professions, people from all walks of life — you must have a highly trained, well-educated population to be able to compete in the global economy. Whether we like the global economy or not, it's here. Perhaps we'd prefer it isn't. Perhaps we would prefer we didn't have to compete with other countries, but we have to. That's why we need a good investment in our community colleges and our universities, not simply a reannouncement of money that the NDP was allocating, but a genuine investment in the future of this province.

Brock University has been trapped in a formula which pays it less money than I believe it's entitled to. I know it's a very complicated formula they use, but I hope that the minister of all education will certainly look into this matter, determine that Brock has been underfunded and provide that university with its fair share of resources.

The bill in and of itself is a fairly innocuous bill. It's largely housekeeping. It's largely administrative. I suppose if we had more resources in the opposition we might find provisions of the bill that may be less benign than the government would suggest, but at first glance it is one of the bills which is of less consequence in the province than many others.

I want to hope, and I do hope, that the provisions of this bill will help young people obtain employment opportunities. Those of us who came out of the schools of Ontario a number of years ago had a lot of employment opportunities and could almost name those opportunities. I feel sorry for students today who come out probably better educated than the generation previous, and in many cases at a later stage in life in certain professions, but are unable to obtain good employment positions after their investment in education.

2210

I mention the word "investment" because they are paying much higher tuition fees now than they were six or seven years ago. Even the NDP, which is opposed to raising tuition fees, had to raise them 42% to meet their obligations. But that's enough now. They did that because they had to. I know they didn't want to. I talked to many of their members and they said: "Please don't hold us accountable for this. We didn't want to do it."

I didn't agree at the time, but I at least knew they were doing it and not liking to do it. They did not rub their hands with glee. They did not say, "It's time to get the

students," as many, I think, on the government benches today believe it's time somebody paid for that. But I did want to note that, knowing my friends from the New Democratic Party did not want to do that, because they were concerned about education, but now they're saying, as we are, "Enough is enough, no more increases, no more of a burden on those students," because what it means in our society is that the children of the wealthy and the privileged will have more opportunities at education than the children of those of lesser means.

That is what we see in the United States. We see polarization. We see the rich getting richer, the poor getting poorer and those in public office often serving the needs of the privileged and the rich, when those who need our assistance most are those who are people of disadvantage, who didn't have the opportunity, who didn't know the so-called right people, who didn't have the connections, who are unable to obtain good jobs to put themselves through university or community colleges.

If there's one thing that can provide equality of opportunity, it's an education system. A publicly funded education system does that. We can't determine the outcomes. I can't say that given these opportunities, somebody's going to succeed and somebody's not going to succeed, nor should government be in the position of making that determination, but government does have an obligation, in my view, to guarantee equality of opportunity.

I was addressing students at Ridley College, which is a private school — not many children of individuals of low means, in terms of financial means, would be attending Ridley College — and what I said to the students at that time, because I was invited to address them along with my good friend Tom Froese from St Catharines-Brock to present different viewpoints on economic issues, was that it was important to have an appropriately funded public education system so that those who are not born into privilege, so that those who do not have high financial means are able to have about an equal opportunity to succeed in life, to take advantage of opportunities that would be provided and that's our responsibility.

We can't get everybody a Cadillac, we can't ensure that everybody has a 54-inch television set, we can't ensure that everybody can go to Paris every year on a holiday, but at least we can guarantee that they will have a good education, a solid health care system which serves all of us and the infrastructure and community services which are equal to all in our society. That's what our obligation is and I hope this bill provides at least some means of achieving that.

I want to thank members for their indulgence. I know they were on the edge of their chairs as I was speaking. I noticed several members on the government side were nodding. I don't know whether they were nodding off or nodding in agreement; I'm going to assume they were nodding in agreement while I was speaking and I want to thank them for their attention.

I simply make one request of the government members and that is that you pass the message back to the real power, the whiz kids in the Premier's office, the senior civil service, the advisors to the government. I only ask that you convey that message that I presented this

evening to those individuals so we can have that kind of society in Ontario.

Mr Mario Sergio (Yorkview): I'm pleased to join the debate on Bill 93 as it nears its completion. I think the members are impatient to get on with it and approve it as we finish the debate tonight. Let me add my few words as to why we are at this stage pushing one bill, not of great importance as it is here tonight, a housekeeping bill more than anything else.

It is called Bill 93, the Good Financial Management Act. I really don't know if it is what it is called, a good financial management act, but the government seems to pride itself on changing the names of the various already long-established bills. For some reason they may find some consolation if they think that by changing the bills they're going to improve the bill itself. We have seen that with a number of bills such as the WCB reform and the family reform bill, but the contents of those bills continue to remain the same.

As I said before, and it doesn't make a heck of a difference as it trickles down from the content of the budget speech, what the budget really did deliver at the time some six months or so ago, what it does mainly is it allows the government to gather all the funds held in the various Ontario securities, also from surpluses from crown corporations, those funds to be deposited in the consolidated revenue fund which would help, at the end, the government to conduct the business as it sees fit.

I think it has been said —

Interjections.

The Acting Speaker (Mrs Margaret Marland): I would like to call the House to order. There is a great level of noise and it is increasing and I do not think it's fair to the member for Yorkview. Only one member has the floor and that is the member for Yorkview. I think it would be kind to show respect to him while he has the floor.

Mr Sergio: Thank you very much, Madam Speaker. I am pleased to see that indeed you are very attentive to what is going on and what is being said in the House, and I think although this may be a fait accompli, it still carries a lot of importance.

We have heard from previous speakers that this is strictly to streamline and consolidate the business of the government. I think what this bill does is it finalizes the effects of the budget, as it was presented some six months or so ago, to carry on the business of the government, and that's fine. But what we have heard time and time again is it is not what the government is doing; it's how the government is going about it, how the government is conducting its business, how the government is introducing the various many bills and how the government is —

Interjections.

Mr Sergio: Madam Speaker, did I hear one of the members say, "Shut up, Mario"?

The Acting Speaker: No, and I am listening.

Mr Sergio: Madam Speaker, if that is the case, I can stand up here all the time that is entitled to me to speak in the House. If some of the members do not wish me to speak to this House, I'm very, very sorry, and I don't want to —

The Acting Speaker: I am listening very intently to the member for Yorkview, and I am aware, as I addressed a few moments ago, that there is a lot of noise in the House. No, as Speaker, I did not hear the comment you referred to and I would ask for you to continue the debate, the member for Yorkview.

Mr Sergio: Thank you very much. As you have said, Madam Speaker, it's quite possible that during noisy interference we may not clearly hear what's being said from the other side.

But let me say this, and I'd like to pick up where I left off —

Interjections.

2220

Mr Pouliot: Tony told himself to shut up. No, Mario. I'm listening. I'm sorry.

Mr Sergio: Especially at this particular time of the night a little bit of cordiality is welcome, and I don't mind it, Madam Speaker.

Let me say that the government wants to get on and streamline the financial business of the government, and that's fine — it's how the government is doing it, how the government is going about it, how the government is accomplishing exactly that. Sure, they want to get on with the 30% rebate to the rich people, of course, because they need a nice holiday perhaps during the holiday season.

Mr Ford: More rich guys sitting on there than you know.

Mr Sergio: Yes, of course, the rich guys. But where is the money coming from to conduct those businesses? It's coming from a number of areas, and they haven't finished yet. The funny thing is that they haven't even reached halfway yet, but that's where the money is coming from. I just remind the government that if they haven't finished, they can only get it from the same sources they have been getting it from over the past year and a half.

The money is coming from the health care system, from closing hospitals, from cutting funds to education, from cutting benefits to injured workers, from the environment, from laying off thousands of people. The government should know better than anybody else that they should be concerned about creating more taxpayers and not imposing more taxes. It's coming from borrowing some \$6.5 billion a year for the next four years. This will shoot the total provincial debt to over \$120 billion. They are getting their money by making cuts to Wheel-Trans, by imposing copayments, and shame on this government: Just over the last few days we heard that anyone who is lying in a hospital bed, probably in a corridor waiting for proper accommodation, a bed in a nursing home, has to pay \$40 a day immediately while they wait for accommodation in a nursing home. Can you believe that? The law as it is in our province —

Mr Pouliot: Polarization. If we don't get the money, out you go, out the door.

Mr Sergio: But it's not even that. It would be okay for somebody languishing in a hospital corridor to pay the \$40, provided they would be receiving the same attention, the same care as if they were in a nursing home. Well, they are not. They just cannot receive the same health

care, the same attention to the same needs as if they were in a private room in a nursing home.

What's really shameful is that the law of this province which deals with seniors and other members of our society who have to be accommodated in a nursing home — they only have to start to make payments after 60 days, and what this government has been doing lately is imposing the fee, the \$40 immediately. Now, isn't that nice. I think this is a wonderful gift to the most needy in our society: those seniors. Statistics show that 70% of those seniors do not have any friends or relatives and some 60% of them don't have anyone within a radius of 160 miles. Can you imagine that?

So where's the money coming from? We see a government that, because of its misguided, misdirected policies, will go to any extent to get money to accomplish some of its goals. We see a government that will go to any extent even to approve, to legalize more casinos, of course. Now we'll be enjoying going to the new opening this coming Saturday, and the government should be very happy. I think it's going to be another very successful casino and that it's going to bring a lot of money into the coffers of the provincial government.

They have just legalized the one-armed bandit, so called, or slot machines, as most people would call them. The government of course would call them VLTs. If we ask average citizens on the street what a VLT is, they wouldn't know. The government has imposed another fancy name and they call them video lottery terminals.

It is not, as I said before, what the government is doing but how it's doing it. They're doing it by imposing their will without attaching any seriousness to the consequences of those acts. While on the one hand they say, "We like to listen to the people, we want to go the people," what do we see on a daily basis? They're coming with proposals, rubber-stamping them, steam-rolling them through this House without any little consideration whatsoever.

Yesterday I think this government approved Bill 81, the so-called Fewer Politicians Act. I think we have to take into consideration that it's useless for us, for the government, to travel throughout Ontario, hold public hearings and say, "We want to go out and listen to the people," and then come into this House and act as if we had never gone out and listened to the people. That is the most shameful, arrogant thing we can do to the people of Ontario. They expect a government that would go out, listen to the people, come to this House and make those necessary changes according to the will of the people.

What the government has done in pushing through the legislation as it did, and it's doing and I'm sure it will, is that it has created two types of people, created havoc among those most in need, divided our communities — those who have it, those who don't and those who have too much — and the government continues to pander to those particular groups.

We have seen, because the government want to accomplish its goals, what we used to pride ourselves in as universality. That's gone. Equality, fairness, they're gone.

Interjection: That's a big lie.

Mr Sergio: Madam Speaker, I heard that quite clearly, "That's a big lie." Is it possible, Madam Speaker, that

you didn't hear it? I know that the member who said it is laughing. Now isn't that fun?

The Acting Speaker: Would you take your seat, the member for Yorkview. As Speaker I did not hear that comment. I would ask any honourable member who may have made that comment to withdraw that comment, but I did not hear it and I don't believe that the table heard it. I say to the honourable member, please continue the debate.

Mr Sergio: I didn't expect that the honourable member would have the decency to get up in the House and apologize for what he has said. I could hear it clearly from this side, Madam Speaker, but I am sure that you were speaking to somebody else and you probably missed it. But I will continue with my time left.

The Acting Speaker: I would say to the member for Yorkview, if you know which honourable member said that and you wish to name that honourable member, I will ask that member to withdraw, but I have already asked the members if they did make that comment. Unfortunately this is the second time I have made that request, and if there is no response, there is nothing further that I can do. I would suggest that you continue the debate. Thank you.

Mr Sergio: I wouldn't embarrass the member, Madam Speaker. That's okay.

2230

I just want to continue and finish my few minutes. It's sad that we are dealing with a very important piece of legislation. I don't think I'm speaking against it because, as I said, it's a housecleaning thing; it's a particular time of the year. What we have seen in this House from some of the members, and it's quite sad — I feel sorry for some of the members because next election people will not forget. I think we have some good members on both sides of the House, and because of some we lose the essence of our debates.

The Acting Speaker: I would ask the member for Yorkview to speak to Bill 93.

Mr Sergio: I am, Madam Speaker.

Mr Ron Johnson (Brantford): You're self-righteous. You're a joke.

The Acting Speaker: The member is not in his seat, and I did just hear your last comment. I would ask you to return to your seat and withdraw that comment.

Mr Ron Johnson: I withdraw.

The Acting Speaker: Thank you. Please continue.

Mr Sergio: The government wants to accomplish its goals, and that's fine.

To sum up, there is absolutely nothing wrong if the government wants to pursue its goals, its policies. We have been saying all along that it should not be done on the backs of the poor, the destitute, the most needy. We have said all along that the government would be better and would save a lot of face if they were to come to the people and say: "You know what? We have goofed. We have made a promise well before the election but we realize that it's costing too much." It's causing too much pain; it's causing too much disparity; it's causing too much anxiety among all classes of people, among the unemployed, the sick, the poor, youth, students, even among those who are holding a job today for fear that tomorrow they may no longer have that particular job.

Those are the reasons. I realize that the bill has very little importance at this stage, that it is something for administration purposes solely. But we are saying please think about it. Think about what you're doing to a lot of people in Ontario, because eventually the people who are now suffering the consequences of the actions of this government are going to be judge and jury.

It's fine to say, "We told the people what we were going to do and now we are doing it." I have to take exception to some of these comments because they are being said quite often in the House. I carry the Common Sense Revolution here. I wouldn't leave home without it, believe you me, because it's got a wealth of information for both sides of the House. If the government says, "We are doing exactly what we said we would do," I truly take the government to task on that because I, the first one, would be very happy to see the government do exactly what they said they would do in the Common Sense Revolution. The problem is that they are not doing what they said they would do. That's where we differ. That's where I have a problem; that's where the people of Ontario have a problem.

There could be someone out there in the professional-business sector who will be doing fine, but don't continue to tell me here in this House that what you're doing to the people of Ontario — when you cut hospital beds, close hospitals, cut education, day care and everything else. You didn't say that in here.

I won't prolong because I think the night is coming to a close and there are other speakers as well. I wanted to express my feelings on the bill. As I said before, it's more or less housekeeping amendments. I think it's going to move through the House, and I believe the sooner the better for the government, as they want to try and get their finances in place and see if they can reach their goal. I wish them luck. If they do, I think they will have to tell that to the people. If they don't, they will have to go to the people and say why they didn't. On that note, I will end my notes and wish everyone well.

The Acting Speaker: Questions and comments? Further debate?

Mr Pouliot: Thank you, Madame la Présidente. I've been watching carefully the way you conduct the order of the House. I know I can only mention those rare opportunities in English and en français, but let me assure you two words qualify it. En espagnol, in Spanish, it's muy elegante. You're doing an excellent job and you're to be commended, Madam Speaker.

What brings us together on this Thursday, December 5, at 25 to 11 — and I don't intend to leave that I've reported to the highest order; I just want to establish that this is live — is what would appear to be not all that important perhaps. It's Bill 93, An Act to amend certain statutes administered by the Minister of Finance to promote good management of the Province's finances, to implement certain provisions of the 1996 Budget, and so on. Not uncommon. In fact, after every financial statement, after every budget, the Minister of Finance has to come up with a bit of a mixed grill, a potpourri. As you will expect as I go through this very, very serious address, you will find in the first order, and this transcends party affiliation, that humour does not become everyone in this timbre indeed. Not uncommon at all.

Therefore, what we have today is 10 different parts making Bill 93. We don't expect to oppose for the sake of opposing. It deals with intricacies. We don't see any interruptions of consequence in the normal flow of running the Legislature in its statute.

The first part deals with the Financial Administration Act. It gives the Treasurer of the province of Ontario the flexibility, the latitude, to consolidate. It gives an opportunity, for instance, if we were to take the advent of video slot machines, video lottery terminals — it's a fancy word. The money will now be allowed, because the powers of the Treasurer are being enlarged, to get into the vortex, the general fund. You know from experience that ministers of finance, along with their good friend the Premier of the province, like to have a general fund. They don't see the need to have dedicated funds. They want the money to flow directly into that black hole, into the quagmire, and then they want the power to be able to dole it out. That way they have control over the purse.

2240

When the money rolls in, there will be absolutely no scruples. Damn the principle — the money will roll in. Accountants won't get in the way nor slow things down when the VLTs, that proliferation, start hitting the streets, and they'll have them anywhere. If you're a worshipper, if you see the need to consult your spiritual leader, the local church, don't be surprised if you find those dreadful machines in the back of churches. Their appetite is insatiable. They will stop at nothing. You might even see them in public washrooms. They will be all over. In fact, a cynic could mention that at the intensive care unit you might have a heart monitor in the slot machine.

Interjections.

Mr Pouliot: Well, is it to catastrophize to have them — why not have them in the classroom? There's no morality here. So the little ones, as long as the handrails are safe and are in conformity with the labour standards, they too can go and make an offering out of their little Dalmatian piggy bank, turn it upside down and grab every penny to satisfy the tax cut for the very rich because, make no mistake, that is what it's all about.

I thought I would address part I of the bill, and I repeat the amendment. There's nothing complex about this. Once you read between the lines, it tells you the story. These people are ready. They are, again, insatiable. They give themselves a little more power than they should. The bill permits the Minister of Finance to authorize crown agencies to make "payment by cheque or other method from the consolidated revenue fund" — the vortex, the big fund. The Minister of Finance may impose terms and conditions on authorization.

Mr Bradley: That sounds dangerous to me.

Mr Pouliot: Well, indeed.

You better cosy up, Madame. Don't get caught on the wrong side of "Love me, love me not," because if you get past the relationship between him and the other, don't look too far off the pillow, Madame, because they're very compatible when it comes time to hand the takes. You see, the money will come rolling in from all over because they really need it, but when it comes time to dole it out, you'll find a great deal of hesitancy with that hand.

They're about to embark on \$3 billion worth of cuts and they tell us that the tax cut will create all kinds of jobs. They're taking more out of the economy than they're putting in. Thousands of nurses, front-liners, people who provide an essential service will be told —

Mr Marchese: Gone.

Mr Pouliot: I can do that too, thank you — will be told, "Out the door." Teachers will told they're history. Class sizes will balloon to 35 or 40.

Interjections.

Mr Pouliot: You can hear the kind of laughter, the kind of mockery, treating these dire circumstances as mere bagatelles, just dust that stands in the way of what they wish to accomplish.

They're cutting \$3 billion. They're fighting on so many fronts. I saw one of them the other day. He was going through the phone books and I said to him: "Can I help you? What are you doing?" He said, "Well, there are three groups we haven't antagonized and we're going to call them because we've put ourselves under a state of seige." The firefighters, the police, the judiciary, nurses, doctors, schools, teachers — Madam, you can go on and on and on. Three billion dollars because they're on the hook. They must deliver the taxes. But you've read it. In fact, it was in Report on Business, that business section of the Globe and Mail which, because of my critic's role, I've learned to read since I've been appointed. Over the years I've read it even better because I was intrigued to find out about my enemies. You know, \$1.4 billion net profit, the Royal Bank, one of the six chartered. It's embarrassing.

Mr Bradley: Gilles, are they adding employees?

Mr Pouliot: Oh, no, they're not. In fact, two years ago, and you'll get this, when they first reach the \$1 billion after all the deferrals — I mean, they couldn't hide it any more, so they had to declare over \$1 billion profit. Once you went through the document, you found out in small print that they had received a couple of hundred million dollars from the research and development provision —

Mr Marchese: It's true. I read it too.

Mr Pouliot: — to help them install computers. They really needed it.

Mr Marchese: It's \$300 million.

Mr Pouliot: They were going to do it anyway, but they went to —

The Acting Speaker: I would like to remind the member for Fort York that not only are interjections out of order, but you are not in your seat and you are interrupting the debate. Thank you.

Mr Pouliot: Madam Speaker, I must say to you, I must live with my good friend, but I must also commend you on being consistent and doing an excellent job.

Let's go back to the Royal Bank. We want to wish them well. If the profit was ordinary, if it was not associated with the irony of telling 5,000 people they're no longer needed, they got their pink slips — I recall vividly, and you do too, that when a corporation, especially a large corporation, made a profit, the shareholders got a little better. Their reward on risk on investment was enhanced; they got a little more divvy. People were not let go — quite the contrary. Here was an opportunity to

have employment. Not in the case of the la Banque Royale, and maybe they're not alone in that group of six, the group of chartered, and they lobby very well. They start lobbying the day after the revision of the Bank Act, which takes place periodically, and they only stop the day before. So they continuously lobby.

Lobbying with those people is not a vulgar trade. They don't advertise by way of cards. It's the most honourable, the most cartelian, monopolistic kind of leaning, mostly by hook, some will say by crook under immunity — not a nice conglomerate if you're an ordinary person. It's been written that the toxicity level can indeed take on extraordinary proportions. There's no fairness. You talk about the bank charges. Oh, if you have collateral, if you're one of the rich ones, you can perhaps latch on to — well, people would know a lot more how those work than I do — a consequential line of credit. What does it say? Where's my paper here? It says prime plus 1%, I guess, or prime plus 0.5%. You can get money at 4.90%, but for those of us who don't have the same means or the same sophistication, because we've been busy making a living, ordinary people, with those people you don't talk much.

2250

You go cap in hand, you beat the path between your small business and your home in an ordinary working people's neighbourhood and you say little, for they decide on your lifestyle. They help the polarization. They have helped with the erosion of the middle class that pays for all this. There's a risk associated with what this government is doing. They will have you make believe at committees — and they do very well. They will profess that all the stars are aligning in the right position, that things are well. They take all the credit for it but don't ask them to carry the blame.

They'll tell you they've created 127,000 net jobs. There's been a dislocation. Some of those jobs are mere jobettes in the service trade. They don't pay too well. They are naturally, more often than not, non-union jobs, but they're jobs.

Mr Bradley: Minimum wage?

Mr Pouliot: Yes, minimum wage. Not quite the \$1 an hour, 60 hours a week, that some would wish to see.

Low interest rates: For 40 years, interest rates haven't been this low. I was at the Province of Ontario Savings Office the other day to get the few dollars I need to cooperate, and it said one year, 2.75%, and then on the GIC it said 4.75%. It's not too long ago we used to be able to establish yields of 8%, 9% and 10% on five-year guaranteed investment certificates. So you have low interest rates that should provide incentives.

You also have an astounding recovery in the export market. Ontario, being the manufacturing heart of Canada, can only benefit. You have housing starts that are at a very good level and yet house prices are not going up because you have an inventory. Those stars are well aligned. You have Mr Greenspan who just underwent a presidential election. You had decreases in interest rates. Things are not going too bad.

Oh, but you also have consumer debts, the excesses of the 1980s, at a record level. You have a very low rate of savings, the lowest it's been in more than two decades:

5.4%. You have to factor the other side, trying to establish equilibrium. You also have the relationship between household debt and household income in real terms, and then you begin to understand as you see the decrease. Less money will be forthcoming in the economy. It should really be rolling. Make no question, no doubt about it, things should be much rosier than they are, but in the meantime the rich are getting richer.

Hon Al Leach (Minister of Municipal Affairs and Housing): That's good.

Mr Pouliot: You could be right. They don't want it this way, I know that, not imputing motive to any person or anyone, but if you do it at the expense of others — I'll ask you a question: If you ask Ontarians, "Are you paying too much tax, are you paying the right amount of tax or too little tax?" almost inevitably people will look at their pay stubs, at their revenues, and will say, "I'm paying too much tax." So the government says, "We will give you a tax break."

Interjections.

The Acting Speaker: Minister.

Hon Mr Leach: You've got to think about that once in a while.

The Acting Speaker: Minister.

Hon Mr Leach: Local 183 owns more bank stocks than anything else.

The Acting Speaker: Minister, interjections are out of order and we are trying to keep the debate flowing. The member for Lake Nipigon has the floor.

Mr Pouliot: The same train of thought: You ask the same people, just ask them, "Are you paying too much tax?" The likelihood is people will say: "It's a burden. I shouldn't pay as much tax as I'm paying now." It's almost a normal reaction.

If you were to ask them, "In order to stimulate the economy" — that's what they say — "we will put more money into your pocket. Are you likely to spend it? We hope that you spend it so it will trickle down or trickle through and you will buy more products on the shelves and therefore create more jobs," if you were to say that one fortunate individual, as talented as she or he may be, because they make a very large sum of money, they make a lot of money — they're the chief executive officer or president of the Royal Bank, any one of the chartered banks. At the Bank of Montreal Matthew Barrett brings in, I don't know, \$1.7 million or \$1.8 million — thank heaven for disclosure — and that one person will save \$150,000, as we go instalment after instalment.

I have to say, morally speaking — and I'm not jealous or envious, not at all, I'm not — does it make sense that on the other end, you go and tell — and I know there are more of them — people who are day care workers who make \$22,000 a year "Jane, we're going to give Matthew Barrett 200,000 bucks a year in a tax break, but you're going to take a hit for 4,000 bucks a year. I'm sorry"?

If I go home at night, and that's what it's all about, I have some difficulties with that. I know it's not badly intended. I know you wish to be consistent, because they also pay a lot more taxes, I'm quite aware. I'm aware that there's been a stipend, percentage-wise, for those who make less. That's okay.

Then I ask myself, and I want to ask you, if you have — and they complain about the debt, about the

deficit, and that has to be reconciled. It makes little sense to have to spend \$8.5 billion, \$9 billion, and it will go to \$9.4 billion a year. Look at all the good we could do with that, if we didn't have to pay the coupon or the debenture holders, but you see, as you embark on a \$3-billion tax cut my mathematics tell me that if you work to put the \$3 billion directly against the credit card, against the debt, you would get 100% impact, you would reduce your deficit by \$3 billion, but if you take that money and you put it into a tax cut, will it filter through? In some cases, with those who are beyond moderate means, to Switzerland, or will I find them in Grand Cayman, in Liechtenstein — I don't know those places — in the Bahamas, one of those tax havens?

K.C. Irving: does the name ring a bell, the legacy of the Irving family? You've heard of the Bronfman family. They just left — no, they didn't leave; \$2 billion left before they closed the loophole, then the loophole was shut tight. What am I saying, \$2 billion? Pretty soon, we'll be talking about real money. Everything is relative, except for the thousands of people who are in a climate of anxiety, who have asked the government, said, "Hey" — you pat yourself on the back. You spin things your way. Okay. That's fair. Take credit for everything.

2300

But what about the cuts? Who's going to pay for all this? You've got to go and get \$3 billion out of there. You've got to make ends meet. You've got to go by the Common Sense Revolution, that document, that commitment, because you've said: "People are asking for a government that will do what they said they would. At last, we have a government that does what they said."

Let's look at the checklists before they come up with the little puns. The 725,000 jobs. You want to make a bet? It's not likely to happen.

They will balance the budget. The Common Sense Revolution says, "We'll balance the books by the end of the first term." But under Confederation, you're only allowed — the term is not to exceed five years. But they say, "Well, we'll throw in another year for good measure." It becomes 2000-01. So it's not going to be done in the first term, but they've committed to do it after.

"We're not going to touch health. Not a penny out of health." Do you believe this? Have I got a deal for you. We can't buy the Brooklyn Bridge any more and lease back. That's the next gimmick coming.

"We're not going to touch education, not going to touch classroom education." Teachers out the door by the thousands, pounding the pavement, but nothing is impacted. It's all up here, you see. "Your imagination is too fertile."

The general assistance welfare recipients can't deal with them any more, because they're on their knees, the devotees are on their knees in front of the altar of the rich. Be careful. What you are seeing is the deliberate and systematic erosion of the middle class. People who carried the can, who paid the freight, for all this, especially for those, enough.

They move up the food chain, because they never have enough in that kind of ideology, and they're on the hook so badly that Pac-Man has to deliver. The very same

people, we Ontarians who might say, "At last we have a government that will deliver on what it said it will do," we're the very same people who are going to toss the rascals out of office if they dislocate the system. They're on the hook for a 30% tax cut, politically speaking, because that's all they're talking about. They could have got the same result with an incentive of 5%, more manageable, more reasonable, but of course you did not know that, because you were sitting quite low in the polls. In fact, some of you had to answer those ads in the paper looking for a candidate, and by coat-tailing some of you found yourselves here in the Legislative Assembly of Ontario.

I had one of them — he said he was lost. It was a sad sight indeed. He stopped me on the street and said, "Sir, can I ask you a question?" I said: "Of course. If I can help you, I shall." He said, "I'm a newly elected member of the Legislative Assembly of Ontario." I said, "Well, well, well." He said, "Where is it?" Then I pointed it out to him. I said: "It's right there. Take the subway. That's how you get to the Leg. You take the subway so you can get there." Then I saw him ask someone else, and I was told after, because we didn't see him for the first week, that he had gone to Ottawa. It must have been my accent; he didn't believe what I told him. He asked somebody else and he said, "I'm a newly elected member of Parliament," I suppose. So the poor person ended up in Ottawa, then finally, after a week, found himself here. I'm not going to name the person, because I know what human frailties are; it wouldn't be fair. It would go beyond the farcical —

The Acting Speaker: I remind the member for Lake Nipigon that he is speaking to Bill 93.

Mr Pouliot: Madame you're so right. When one refers to Bill 93, there is so much that one can say, yet so little time. I have searched long and hard for virtues associated with le projet de loi 93, avec tout le grand respect qu'on vous doit, Madame, mais je parlais des taxes. Je parlais. There is a great deal of relevancy. Everything connects. You cannot have one part of the bill without talking about another part.

Mr Bud Wildman (Algoma): It's a seamless web.

Mr Pouliot: That's right, seamless. I know the government of the day is not prepared to capitulate. They're not going to throw in the towel. It's not in their nature. Many of them have always won in life. Some of them try to convince us that they've made money the old-fashioned way, that they've earned it. Others have really made it the old-fashioned way: They inherited the money. No matter which one you address of the two, it all comes out the same.

I remember sitting there, not too, too long ago, and we were in the midst of a recession. It was the most acute recession since the big one, the Depression. We had difficulties, and we kept being reminded, although times were very difficult, that we could lose our credit rating, and if we did so, it would cost us more to borrow, not only locally, but we would become more vulnerable towards the international market. It had been some years that Ontario could no longer shoulder its own debt, so we had to go abroad to do that.

I recall vividly, so clearly, when people like the Dominion Bond Rating Service used to come and cast the spell of possibly higher interest rates, and we would be judged very harshly. Those people couldn't care less who the government of the day is. It's not their mandate, it's not their duty in life. They're all saying, "Beware, you've gone too far." They're saying that if you fail to achieve your objective, if you shave only 1% off the projection, and 1% is no big deal, you will have to borrow another \$2.8 billion or cut.

Mr Marchese: They're bankrupt.

Mr Pouliot: I hear one Conservative there saying that they're bankrupt. That's a start. Let Hansard record that one Conservative member sitting beside the Minister of Municipal Affairs said they're bankrupt.

The Acting Speaker: I have previously asked the member for Fort York not to interject. You are now sitting on the opposite side of the House, a long way from your own seat. I would like you to return to your seat or remain quiet. Thank you.

2310

Mr Pouliot: The Dominion Bond Rating Service, these people are ultra-conservative. They're correct, and they would not float \$2.8 billion in the public domain if they weren't right about their forecast. This is a caution of the highest order. They're saying: "Government, be careful. Attention. You may dislocate." You've already announced, on top of the dummy that has no hand, \$7 billion worth of cuts, with \$3 billion to be defined here shortly — they'll have to — and can you imagine another \$2.8 billion? Wouldn't it be a lot simpler to take the promised tax cut to clear up the credit card, the debt, the deficit at least? Then you could indulge in some largess, give people a reward, because we've had to tighten up our belts.

In a few months they'll be announcing — you'll be here, Madame, and I will be watching your reaction very carefully because I know you care, when they announce closures. Hospitalville, right down the street here, the place where a child was born, where a parent passed away — a sacred trust, a relationship between that institution and its citizens — and one day you will cross the street and go to that hospital and it will be padlocked. You will no longer have access. The grand finale. There won't be a shortage; it will be sum total, never to return. That's the reality. This is no joke here.

Your schools will suffer a great deal too. Your transfer payments to municipalities — you know what's going to happen? The reeve in a small town, in a hamlet, in a small village, they're going to strangle them. They'll tell them: "You're on your own. You can do whatever you wish, but we'll only give you so much money." They have a panel coming up and people are confused, are anxious. Anxiety leads to fear. They don't know. They have their panel called Who Does What.

Mr Wildman: To whom for how long.

Mr Pouliot: You're right. It should be the who sleeps with whom panel, the who pays for what panel. Leave the people alone. The same trick has been thought about for the last 30 years. Come clean. But no, you want to give them a piece of highway to clean and to maintain. There is no exchange here. You are downloading on the

municipalities, you're downloading on the school boards, you're going to shut hospitals down. And most of that could have been avoided if, instead of the tax cut that benefits those who have more, you had come to your senses and spread it more evenly among the people who have paid the freight for decades, who made Ontario great.

You have a choice; it was in your hand. In lieu of this, you've upset the applecart. We can no longer be comfortable with the digestive process. You're going too far, and I hear it, and you're going too quickly. You're hurting — no one means to do that, but those are the consequences — people who have just started to get back on their feet. People don't wish to be extraordinarily wealthy, but they want that peace of mind. They want their rightful place under the sun. That's what it's all about. Nothing else matters, really. Sometimes during bad times, when it is dark out there, when the negative drag cycle has hit, when it is very dark they want to see the stars, that tomorrow will get better.

They want a government to be more predictable, not a government that will polarize, not a government that will fight all the time, not a government that will push those who cannot push back. I don't meet people as individuals, members of the government, who want to hurt people. I haven't met a bad person there. If they go down Yonge Street and they see an increased number of panhandlers, of homeless, of desperate, I don't see one member across as a member of the government who doesn't say, "Oops, not only could that be me, but no one in society feels completely immune when you see a sister or a brother having a difficult time." It costs and it reflects on, to a large extent, every one of us.

But when you feel this way and yet when you enter the chamber, when you go back under the mantra "for it is written," when you get the manifesto which is the Common Sense Revolution and you forget about all that, someone has to tell you one day, "Not only do I disagree but you're warned, if it goes bad you have to carry the guilt." Remember the pat on the back, take credit for every good thing? So when it goes bad, oh, we'll know where to point. I don't say this by way of threat or ultimatums. It wouldn't be becoming here.

Suffice it to say that the best way to reconcile a deficit is to pay down the debt. If you have a credit card and you have a \$5,000 limit, which is quite a large sum on a credit card for ordinary people, and because of circumstances or by way of excess or frailties you're near the \$5,000 and you get a note from the sponsor of the card, you start tightening up. You start bagging it and you don't go to the cafeteria. You bring your own lunch, maybe a little Thermos of coffee. Be a little more spartan and frugal. Forgo that second tie that you'll buy for the year. Buy one tie, you'll be okay. Use the old ones. I know I do. You pay down the credit card. That's commonsensical. We all know this.

Or, once you've reached the limit, you go on a big-time binge. Oh, this is it. I'm going to throw the biggest possible party. No time to pay down the credit card. I've arrived. Maybe I can get into the Boulevard Club, or maybe I can go and dance at the Toronto Club, the Canadian Club. Why not? Those places that I've never

had access to all become possible by way of raising my limit.

No. You go home. While others go on cruises and to those establishments, you go for a walk and you pay down your debt.

That's not what they're doing. One third of what they take in is the provincial income tax; close to a third, maybe 30%. They take in \$46 billion, \$47 billion. Feel your purse, Madame. That's what they take in. And 30% of that is called the PIT, provincial income tax. They're taking \$47 billion, spending \$55 billion, 56 billion. You need not be a mathematical genius emanating from the U of T. You're in the hole, you're behind the eight ball, \$8 billion.

Then there's the magic of compounding. You pay interest on interest on interest, and you wish that things would go well because you have a revenue problem. Well, I'll tell you what, with high respect, they're taking money out of revenue, they're taking another \$5 billion. They say, "We're taking \$5 billion out, but we still want to pay the debt, so we have to cut."

At the beginning they cut the excess. Then they go to the bone, then they go for the heart, then they dislocate. There's nothing left. There's a lot of fear. The trick here, the irony here is that that can be avoided if you make the right choice. This is not a shell game. There are two choices: that of putting 100 cents on the dollar against the tax or that of taking the chance, because you're on the hook, to put money in people's pockets with unfair distribution and further polarize our society.

2320

I thank you, Madame. When it comes to the intricacies, this bill is a facilitator. It's housekeeping. It addresses what falls between the cracks after every budget. In terms of the essence, the spirit and the intent of this bill, we will be supporting the bill. In fact, it is quite commonsensical and necessary by its very nature in the statutes that it addresses. We would also urge the government to extend the practice to also go after second and third reading.

The Acting Speaker: Further debate?

Mr Wayne Wettlaufer (Kitchener): That's a pretty hard act to follow. Last week, when I spoke in the House to extend the sittings to midnight, I didn't realize that I was going to be one of those speaking at this late hour. But I am pleased to speak in support of Bill 93, the Good Financial Management Act, 1996.

As everyone in the House knows, good financial management is absolutely essential to the successful operation of any organization. Whether it be a one-person entrepreneurial operation, a major corporation or a government, good financial management is an ongoing goal and an ongoing process. Professional financial managers, once having attained their current goals, will establish a new set of targets with the intent of doing more for less. Doing more for less means increasing efficiencies and improving performance, while at the same time decreasing operating expenses.

That's what this bill is all about and I think the Finance minister should be complimented on it. It's a bill that the previous government didn't have the courage or the wherewithal to carry out, and it is now necessary.

The Acting Speaker: Does the parliamentary assistant to the Minister of Finance wish to wind up the debate?

Ms Bassett: Yes. All I would like to say at this late hour is to thank the opposition and thank everybody who spoke, my colleagues, for their input and their support of this very necessary bill. As we all know, it is to streamline government. As the member for Lake Nipigon made perfectly clear, it's the things that fall through the cracks in any budget we have to pick up to make things better. That's really the sum total of what I have to say.

There's one last little thing I'd like to just mention that the member for Wilson Heights pointed out about the retail sales tax. I thank you for mentioning the cultural community because the cultural community, the ticket prices, will not be affected at all. Most ticket prices, just to clarify that one small matter, are exempt from retail sales tax, and any ticket prices up to the year 2000 on smaller theatres are exempt from any sales tax. That should allay any fears that you have or anyone else.

The Acting Speaker: Ms Bassett, the parliamentary assistant to the Minister of Finance, has moved second reading of Bill 93. Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it. I declare the motion carried.

Shall the bill be ordered for third reading? Agreed.

GOOD FINANCIAL MANAGEMENT ACT, 1996

LOI DE 1996 SUR LA BONNE GESTION DES FINANCES PUBLIQUES

Ms Bassett, on behalf of Mr Eves, moved third reading of the following bill:

Bill 93, An Act to amend certain statutes administered by the Minister of Finance to promote good management of the Province's finances, to implement certain provisions of the 1996 Budget and to implement other aspects of the Government's agenda and to amend the MPPs Pension Act, 1996 / Projet de loi 93, Loi visant à modifier des lois dont l'application relève du ministre des Finances, à favoriser la bonne gestion des finances de la

province, à mettre en oeuvre des dispositions du budget de 1996 et d'autres éléments du programme du gouvernement et à modifier la Loi de 1996 sur le régime de retraite des députés.

Ms Isabel Bassett (St Andrew-St Patrick): Given the late hour and the fact that I've spoken already on this bill, I will defer my time.

The Acting Speaker (Mrs Margaret Marland): Further debate?

Mr James J. Bradley (St Catharines): I would like to indicate that I am prepared to relinquish my 90-minute speech this evening in the interests of expediting this bill.

Mr Bud Wildman (Algoma): On behalf of all of my colleagues' insanity, we would be able to defer to Mr Wettlaufer if he can be found.

The Acting Speaker: Further debate? Ms Bassett, the parliamentary assistant to the Minister of Finance.

Ms Bassett: In closing, again, I'll say thank you to my colleagues on both sides of the House for their input on the Good Financial Management Act, those who spoke today and tonight. I'm pleased to support this legislation because it will reduce waste and duplication and make government more accountable and responsive and fair to the taxpayers of the province. Again, I want to thank the members of the House for supporting this legislation.

The Acting Speaker: Ms Bassett has moved third reading of the bill.

All those in favour of the motion, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it. I declare the motion carried.

Resolved that the bill do now pass and be entitled as in the motion.

Hon Rob Sampson (Minister without Portfolio [Privatization]): Madam Speaker, it being close to 12 o'clock, I move we adjourn.

The Acting Speaker: Mr Sampson, the member for Mississauga West, the Minister without Portfolio for privatization, has moved adjournment of the House. Does the motion carry?

Interjections: Carried.

The Acting Speaker: This House stands adjourned until 1:30 of the clock on Monday, December 9.

The House adjourned at 2330.

LEGISLATIVE ASSEMBLY OF ONTARIO ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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(Hansard)**

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Monday 9 December 1996

Lundi 9 décembre 1996



Speaker
Honourable Chris Stockwell

Président
L'honorable Chris Stockwell

Clerk
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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 9 December 1996

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 9 décembre 1996

*The House met at 1332.
Prayers.*

MEMBERS' STATEMENTS

HEALTH CARE REFORM

Mrs Sandra Pupatello (Windsor-Sandwich): It's important today that we speak about what the health minister has done to communities across Ontario, and especially the community that I come from in Essex county.

The minister has continued to bully major organizations that deliver health services across Ontario. He's doing it in Thunder Bay, he's doing it in Sudbury, he's certainly done it in Windsor. He has put the test to the local hospitals, to our boards, to come up with massive ways to save money. In fact, he is forcing local hospitals to make decisions to cut programs, to deny services, to extend waiting periods, all because they must reach cost targets. Why? Because this minister has cut \$1.3 billion to health care, to hospitals. This has to stop.

The most recent example was the area of cardiac catheterization. When we learned that our hospitals would have been forced to reduce the number of days of lab time available for our local people to get the kinds of services required to prepare them for bypass surgery, we said no. We said that our hospitals can no longer afford to be bullied by this health minister. Again this weekend we have seen perfect examples of bullying. I look forward to question period today, when this will come to light.

CANADIAN ENVIRONMENTAL LAW ASSOCIATION

Ms Marilyn Churley (Riverdale): The Minister of Energy and Environment seems to have too full a schedule to meet with environmentalists. On November 28, environmental groups went right to the minister's office to meet with him. He refused to attend. He said his schedule was too full. One has to ask just whom this minister is meeting with.

It's been almost two months since the Minister of Environment and Energy assured the standing committee on social development that he would be meeting with the Canadian Environmental Law Association. CELA is second to none in its objective to use and improve laws that protect the environment and conserve natural resources.

On October 16, 1996, the minister recognized that fact, telling the committee that CELA is "a significant player

in this business." The minister assured the committee that day that he would in fact be meeting with CELA. I am sending over copies of two letters from Mr Lindgren and an excerpt from Hansard to refresh the minister's memory.

The minister has now written to Mr Lindgren, saying, "My schedule is heavily booked and my commitments will not permit me the time to meet with CELA." His letter indicated no willingness to meet with CELA at a later time. He simply ruled out any meeting. A first letter of Mr Lindgren's asking for a meeting was never responded to. This reversal is insulting, and I would ask the minister again today to commit at once to meeting with CELA.

PARKING FOR DISABLED

Mr R. Gary Stewart (Peterborough): I rise in the House to bring to the attention of all members an important issue facing an organization in my riding. A local group known as Disabled Against Discrimination has expressed concerns that too many people are parking in spaces designated as handicapped.

The Ministry of Transportation implemented the permit program in May 1990. To assist in the development of this program, the ministry established a working group comprised of stakeholders and other ministries. The group called for consistent municipal parking bylaws through the development of a parking guideline package and a push for unified and standard fines. I am calling for stiffer fines for those individuals who park in these restricted areas and are directly taking advantage of the physically challenged.

I would like to encourage the working group, municipalities and all other stakeholders to continue working together in order to resolve this issue. Disability parking must be protected for those who need it. People who do not obey and recognize the significance of providing disabled parking are jeopardizing those who need the parking most. I encourage all players to find a solution to this problem as soon as possible.

OMNIBUS LEGISLATION

Mrs Elinor Caplan (Oriole): I rise today and hold in my hand the infamous Bill 26, which was introduced in this House on November 29, 1995, and passed on December 12, 1995, almost exactly one year ago. We called this the "bully bill," and what we have seen to date is bullying from this government. I say today that the bullying tactics of this government must stop.

The province of Ontario has witnessed a dramatic deterioration in its relationship with doctors because of

the bullying of the Minister of Health. This latest disaster is yet another example of how this government will go to any length to ensure that their mean-spirited agenda is enforced and that anyone who disagrees with it may be punished by them.

We've seen the Minister of Health try to bully the Ontario Medical Association, we've seen him try to bully the College of Physicians and Surgeons, but the questions go far beyond the behaviour of the Minister of Health.

Bill 26, the bullying bill, suggests that the tactic of this government is one which says, "If you do not agree with the government, then you had better beware." Your information is subject to the whim of the ministers, and there are many questions that this government, Premier Harris and his ministers must stand accountable for and many questions that must be answered.

CHILDREN'S LETTERS TO PREMIER

Ms Frances Lankin (Beaches-Woodbine): Today I had the opportunity to meet with a class of grade 2 and grade 3 students from Lord Dufferin Public School. As you can see, they are in the public gallery here today.

They came here because they wanted to deliver a message to the Premier. They've written those messages out in letters, and I think the words of children are often the most poignant, so I want to take this opportunity to read some of their letters into the official record.

"Dear Mr Harris:

"Mike Harris I dont like what you are doing to the community takeing people's money. People work hard and what if that happen to you. How would you feel if you were working and you lost your job and you get money from welfare and somebody took some money from you. You would not be able to pay all your bills or pay for clothes or enough food for your family." That's from Yemi.

"Dear Mr Harris:

"I think you're very rude. It is not just your comunity it's our comunity. Please stop trying to shut places up like day cares.... Don't take money from the poor. If you want to have friends you can't treat us like this." That's from Ciara.

"Dear Mr Harris:

"If you want me to get a good educaton, do not take money from my school. And my mom is still in school and she is trying hard to get a job but she can't get a job. If you take more money away from her school, she won't be able to." That's from Brandon.

Letter after letter is a testimony to how children in our communities are feeling the impact of the cuts, how their families are feeling the impact. I thank the students from Lord Dufferin for being here today and I promise them that I will deliver their letters to Premier Harris.

1340

KIDS HELP PHONE

Mrs Julia Munro (Durham-York): Last Wednesday I had the pleasure of attending the launch at Central Technical secondary school of an important new stop on the information highway that is designed specifically for Canadian kids. The new Kids Help Phone and Bell

Online is an important new source of information people can turn to when looking for advice on the challenges of growing up.

Produced in a unique charitable partnership which will see Bell Canada and MediaLinx Interactive Inc contribute \$500,000 annually for the next three years, Kids Help Phone and Bell On-line was launched into cyberspace to help kids cope with life's complexities in an immediate and timely manner. Kids Help Phone and Bell On-line on the Internet is an innovative add-on to the 24-hour Kids Help Phone service.

This important new stop on the information highway extends the national service's ability to help kids grow up safe and sound. The expert, user-friendly content encourages anyone — youth, parent or educator — to go on line with confidence, knowing there's a great destination for youth-focused information. The Kids Help Phone and Bell On-line is a safe and confidential place to access and share information that is important to youth and concerned adults.

MediaLinx is hosting Kids Help Phone and Bell On-line on its Sympatico service.

DISCLOSURE OF CONFIDENTIAL INFORMATION

Mr Gerry Phillips (Scarborough-Agincourt): One of the greatest fears people have is that the government will use its immense power and its access to privileged information to bully them. If they choose to disagree with the government, the government has enormous powers that it can bring to bear on them. The people of Ontario now are beginning to fear that very much from this government.

I experienced it first hand from the government. There was a school principal in my area who chose to send out a memo to her community outlining her concern about cuts and who received a phone call from the Minister's of Education's office saying, "Stop it or I will get someone from the Toronto Sun to write an article about you and I'll report you to your board."

Another community group hired a lawyer to represent them. The government members phoned the principals of that law firm, the senior people in that law firm, to complain. That lawyer no longer works for that law firm and quit as a matter of principle.

On the weekend we had perhaps the most chilling bully tactic imaginable: the government accessing private, confidential medical records to try and bully some group that chooses to disagree with the government.

I would say to you, Mr Speaker, there is nothing as chilling as the government using its force and its power to attempt to bully people into silence.

HEALTH CARE REFORM

Mr Gilles Bisson (Cochrane South): Being government is always a question of choosing, and choosing whose side you're on. I have a letter here from a Dr Freundlich, the chief of staff of Bingham Memorial Hospital, cc to Dr Ron Laing, a local physician in Matheson. They write the following:

"In an attempt to help the doctors already established in very isolated and remote places in Ontario, the Minister of Health provided a program through which it assisted these physicians financially with very valuable medical textbooks as well as in attending conferences and upgrading courses." All these programs "are under the umbrella of 'continuing medical education'....

"It is with considerable sadness that I have to bring to your attention that this program is about to be discontinued 'perhaps because it was a good one,'" the letter goes on to say.

As I said, being government is always about choosing, and it seems to me that this government more and more starts to choose. Rather than working with the people in the medical community and working with northerners to establish a good health system in northern Ontario and across this province, we stand instead to get into a fight with doctors such as we've seen escalated over the weekend. I say to the minister he'd be better off spending his time, rather than trying to figure out how to discredit doctors, to start working with them directly in trying to find ways of finding solutions to the problems we have within our health care system.

The letter goes on to say:

"Since only a relatively small number of physicians could benefit of this program, the savings obtained by discontinuing this program would be...negligible."

I urge the Minister of Health, rather than engage in a fight with doctors, to work with the doctors of this province in trying to find some solutions to the health care problems.

TORONTO ARGONAUTS

Mr John Hastings (Etobicoke-Rexdale): I rise in the House today to extend my sincerest congratulations to the members of the Toronto Argonauts football team for winning the 84th Grey Cup in Hamilton's Ivor Wynne Stadium on November 24 before 34,000 cold yet enthusiastic fans.

After a dismal 4 and 14 record in 1995, the Argos placed overall first in the 1996 season, with a 15 and 3 record thanks to the off-season acquisitions of all-star quarterback Doug Flutie, runningback Jimmy Cunningham and the reassigning of all-star receiver Paul Masotti and Toronto's favourite runningback Mike "Pinball" Clemons.

It was the first Argos Grey Cup win since 1991, and Toronto fans showed their appreciation for the hard work and determination of these athletes by setting a CFL season-high attendance record at the SkyDome.

Congratulations go out to head coach Don Matthews, his coaching staff and the players for an excellent season. The best of luck in defending the Grey Cup in the 1997 CFL season.

DISCLOSURE OF CONFIDENTIAL INFORMATION

Hon Jim Wilson (Minister of Health): I rise today on a point of personal privilege. Last week I was informed that a member of my staff had inappropriately disclosed information relating to a member of the medical pro-

fession to a member of the media. Upon learning of this allegation, I requested the resignation of the staff member and it was provided immediately.

This morning, the secretary of cabinet formally called upon the Information and Privacy Commissioner to investigate this matter and report back as soon as possible. Mr Speaker, I support this move.

It is critical that the confidentiality of information in the Ministry of Health regarding any individual be maintained and protected. This is of the utmost importance to me personally, the ministry and this government. Therefore, to ensure the integrity of the investigation by the privacy commissioner, I believe it is both honourable and appropriate that I step aside as Minister of Health until the investigation into this matter is complete.

ORAL QUESTIONS

DISCLOSURE OF CONFIDENTIAL INFORMATION

Mr Dalton McGuinty (Leader of the Opposition):

My question is for the Deputy Premier. This resignation can hardly be the end of the story. What we have here was that late last week we had the disclosure of highly confidential information from a senior staffer who worked with this minister day in and day out, and in a deliberate effort to undermine the credibility of and to intimidate a representative of the physicians who had been negotiating with this government, that information was disclosed. This is hardly the end of the matter.

There are some other questions that need to be answered: How did that confidential information get into the minister's office? Why was it brought into the office? Who else knew about it? What other files were in the hands of the minister, and why did Brett James disclose that information?

My question: Minister, given the seriousness of the situation, will you agree here and now for an all-party legislative committee to get to the bottom of this matter?

Hon Ernie L. Eves (Deputy Premier, Minister of Finance): The leader of the official opposition is quite correct when he says that there are a lot of unanswered questions here. That is exactly why the secretary of cabinet has referred this matter to the Information and Privacy Commissioner. I am certainly confident that the Information and Privacy Commissioner will launch a thorough investigation into the matter and make his report public in due course.

1350

Mr McGuinty: I am convinced, as I'm sure the minister is, that the Information and Privacy Commissioner will not, for instance, consider the issue of ministerial accountability — that does not come under the jurisdiction of his office — and that's something we're very interested in.

There are some more questions that need to be answered. On whose direction did Brett James get the confidential OHIP information? How did he get the confidential OHIP information? On whose direction did he release the confidential information? Has anyone in the minister's office requested information on any other

doctor's billings? Did anyone else in the office know that Brett James had this information? There are many, many more questions that we feel ought to be answered, and for that reason once again I'm asking that you allow this House, through an all-party legislative committee, to subpoena witnesses and have them answer questions under oath.

Hon Mr Eves: In terms of ministerial responsibility, I don't think you can see any higher standard than the one displayed by the Minister of Health a few moments ago.

Mr Gerry Phillips (Scarborough-Agincourt): Did he authorize it? That's what we want to know.

Hon Mr Eves: I hear the interjection of the member for Scarborough-Agincourt saying that the minister authorized it. That kind of speculative innuendo and conjecture on the part of the member for Scarborough-Agincourt does him a disservice, does his party a disservice and does the entire parliamentary system a disservice. The Minister of Health has acted in a most appropriate fashion here today. Too bad that the members of your government, sir, didn't have the same sort of courage and integrity when they were in government.

Now to answer the question very directly to the leader of the official opposition: I have every confidence that the privacy commissioner will look into exactly the matters you have enunciated in your question as to how Mr James found this information out, how he came about it and for what purpose he was using it etc.

Mr McGuinty: Let's understand that the only reason this resignation took place was because the minister was caught. This confidential information had been circulating for God knows how long inside that office. The only reason he's resigned is that it happened to come to the light of day.

There was a practice going on in the ministry, for some reason, whereby confidential information was brought into that office, that information was circulated — we don't know how far it went — and ultimately it was disclosed. There is every indication that the only reason it was disclosed was to undermine the credibility of a perceived enemy of the government, somebody who deigned to disagree with government policy. What kind of accountability is that? What kind of responsibility is that? You take it only when you have to.

The Information and Privacy Commissioner will go only a short distance by way of asking the questions that we feel ought to be answered by a legislative committee. Once again, will you agree to have this House, through an all-party legislative committee, look at those questions?

Hon Mr Eves: I say to the leader of the official opposition that he is prejudging what the Information and Privacy Commissioner will or will not do, what his investigation will or will not show. If he has some reason to believe that the Information and Privacy Commissioner will not behave in an appropriate and responsible fashion, he should say so if that's what he's suggesting, that he won't launch a thorough investigation.

The other matters he talks about are pure conjecture and innuendo on his part. Why don't we find out the facts through an independent party? I think the Informa-

tion and Privacy Commissioner is more than competent to carry out this investigation to get to the bottom of the matter of who knew, how they knew, why they knew, and then we can look at his report and see what it has to say.

The Speaker (Hon Chris Stockwell): New question. The Leader of the Opposition.

Mr McGuinty: I wish this were a unique incident in the history of this government, but in fact it's merely part of a broader pattern, and it's clearly the pattern that has emerged here over the last 18 months of this government. At one point in time the Franklin school in Riverdale —

The Speaker: I need a question and who you direct your question to.

Mr McGuinty: To the same minister. The Franklin school in Riverdale was called upon by Al Leach's assistant. The law firm that had been handling a case against the Crombie commission was told to back off by that minister. There was a Scarborough principal whose board received a call from an assistant to Minister Snobelen as a result of that principal's complaint about this government, and that principal was told to back off.

Minister, will you now admit that this minister's behaviour is typical behaviour for your government, that there's a clear pattern of intimidation and bullying here? Will you not admit to that?

Hon Mr Eves: No, I will not. That question almost doesn't even deserve an answer.

Mr McGuinty: Just to bring it closer to home, it was just a short while ago that this very Minister of Health went to the College of Physicians and Surgeons demanding that those doctors who stood against this government through job action be disciplined. That was the request, the demand, made by this minister of doctors in this province.

You can't govern with a sledgehammer and an axe, and if you want the ultimate example, it's Bill 26. If that doesn't embody everything this government stands for, I don't know what does.

Minister, this makes it all the more important for us to have an inquiry into the actions leading up to this minister's resignation. I ask you once again, how about that inquiry?

Hon Mr Eves: The Information and Privacy Commissioner is an officer of the Legislative Assembly. He is responsible to the Legislative Assembly. He will report back to the Legislative Assembly, and every member of the Legislative Assembly and the public in the province of Ontario will be able to see the result of his investigation.

Mr McGuinty: This has everything to do with political standards. It has to do with what this government sees as acceptable and unacceptable behaviour.

The minister resigned because he was caught. That information had been circulating for a significant amount of time, and when it was brought to light of day, then the minister decided he had no choice but to resign. This is a sad day for government in Ontario. It's a sad day for democracy. We've got a minister resigning in disgrace because he was caught in an effort to undermine the credibility of an enemy of the government. The minister wanted access to these records through Bill 26. He got

the records. Now we know why he wanted them in the first place. This was a power grab, it's clear.

Minister, I think it's important that all the members of this House have an opportunity to go through, in detail, all the events leading up to the disclosure of this information and the resignation of this minister. I ask you once again, will you not consent to an all-party legislative committee reviewing this?

Hon Mr Eves: I would say to the leader of the official opposition that the member should have his facts absolutely straight before he starts accusing people of things that he is conjecturing and surmising, in his own political mind, have occurred.

Mr Wilson resigned today or stepped aside today as the Minister of Health because he has some respect for the integrity and the confidentiality of the Ministry of Health, of the health system in the province of Ontario, and understands some degree of responsibility when a member of his staff did something very inappropriate.

1400

The Speaker: New question. The leader of the third party.

Mr Howard Hampton (Rainy River): I'll ask the Deputy Premier this: Is Mr Wilson stepping aside or is he resigning?

Hon Mr Eves: My information is that the Minister of Health has stepped aside as Minister of Health. He is no longer a member of the executive council in the government of Ontario.

Mr Hampton: If he has stepped aside and he is no longer a member, does that mean someone else is going to be appointed Minister of Health so someone else can be politically accountable for the breach of the law and the breach of someone's privacy? Is someone else going to be appointed, and when?

Hon Mr Eves: It is my understanding that the Premier has asked the Chair of Management Board to assume the responsibilities of the Minister of Health.

Mr Hampton: I ask the Deputy Premier, what is problematic about what you're proposing? You say the privacy commissioner can look into this. But as I read the Premier's statement, he doesn't mention looking into the ministry. He doesn't mention looking into all the ways this information could have been released.

Is the Deputy Premier aware that a chain of events would have to happen before this information is released? It's illegal for the minister to have this information; it's illegal for anybody on his staff to have this information. For this information to be released, the general manager of OHIP would be the only person with authority to release this. Once he receives that request, he has to inform the deputy minister. Once the deputy minister is informed of the request, the deputy minister has to inform the minister.

You're proposing that the privacy commissioner look at Mr James. That's not good enough, Deputy Premier. What we need to know is, when did all these officials of the ministry and when did the deputy minister find out? When did the deputy minister give approval? When did the deputy minister inform the minister? We need an inquiry to get to the bottom of this.

Hon Mr Eves: It is my understanding that the investigation that the Information and Privacy Commissioner will undertake will be of the fullest and widest possible parameters. It will not be limited strictly to Mr James.

Obviously a lot of questions have to be answered here. I think that the Minister of Health and the Premier of the province are aware of that, indeed that the secretary of cabinet is aware of that. That is why (a) the Minister of Health has stepped aside; and (b) the Information and Privacy Commissioner is going to investigate the matter in the fullest possible way.

Mr Hampton: Can the Deputy Premier tell us, does the privacy commissioner have the capacity to order people to appear by way of subpoena? Does he have the capacity to order people to appear and give evidence under oath? Does he have those powers? Can you tell us that?

Hon Mr Eves: I'm not aware of that off the top of my head. However, I have every confidence that the Information and Privacy Commissioner will get to the bottom of this issue, and if he's unable to do so, in his own mind, will say so and report back to the government.

Mr Hampton: It's our information that the privacy commissioner does not have the capacity to order someone to appear by way of subpoena and does not have the capacity to order someone to appear and then take the oath. If the privacy commissioner does not have the power to order appearance by subpoena and does not have the power to order people to take the oath and require them to give information under oath, how are we going to get to the bottom of this?

This is such a serious matter, given the context in which it occurred — a negotiation under way and then, conveniently, information is dropped to the media by someone on the Minister of Health's staff, information he is legally not supposed to have — we need to be sure that we get to the bottom of this. We need to be sure that people can be subpoenaed.

The Speaker: The question?

Mr Hampton: We need to be sure that people appear and give evidence under oath. That is how we get to the bottom of this.

Deputy Premier, will you commit to an inquiry so that people will be ordered, by subpoena, to give evidence under oath?

Hon Mr Eves: I have every confidence that the Information and Privacy Commissioner will be able to conduct as full an investigation as he needs to solve this situation and report back to the Legislative Assembly.

As I already indicated in my response to the leader of the official opposition, he is an officer of the Legislative Assembly and he is responsible for the Legislative Assembly. If he feels that he is not appropriately equipped to conduct this investigation, he will so notify the Legislative Assembly.

Mr Hampton: Some of us might take solace from the words of the Deputy Premier if the government hadn't already shown disrespect for the privacy commissioner last year in the context of Bill 26. You wanted, in Bill 26, to have the right to collect everyone's medical information, to have the minister and his staff members

have the capacity and the legal right to collect everybody's private health care information.

The privacy commissioner said to you that it is not the government's information, that the government is merely the custodian of the personal information that an individual has entrusted to it, that there needs to be this comfort, this trust in this place.

We had to sit in this House literally overnight to force this government to show some respect for the privacy commissioner. I don't think you have any respect for the privacy commissioner.

I believe we need either a public inquiry or an all-party committee. Will you commit to this now? Will you commit to a process that will allow people to be subpoenaed, that will require people to give information under oath?

Hon Mr Eves: The very comments that the leader of the third party just read out with respect to the Information and Privacy Commissioner surely speak to the integrity of the commissioner, to the seriousness with which he undertakes his responsibilities, and surely, having read the quote he just read with respect to the Information and Privacy Commissioner, he would be more than satisfied with that individual looking into this particular situation.

The Speaker: New question. Member for Renfrew North.

Mr Sean G. Conway (Renfrew North): I want to go back to the acting Premier. We have today the resignation of the Minister of Health about a very sensitive matter, namely, the release of highly confidential and sensitive medical information into the public domain. This comes five years to the day from the beginning of the so-called Martel affair. I have in my hand, Mr Eves, a copy of a minority report that you and I and the now minister of justice signed expressing our concern that this could happen and that it would never happen again.

My question to you, Minister, is: Four and a half years after this report was tabled and the gravity of those issues canvassed by this assembly, how is it possible that at the highest levels of government very sensitive, confidential information, gathered apparently for the express purpose to attack an innocent citizen of Ontario, came into the possession of a senior government official, a political assistant, and was used to attack an innocent Ontario citizen?

Hon Mr Eves: In my opinion there are several differences between the situation he alludes to, five years ago, and the situation the Minister of Health today found himself in. First of all we're talking about the actions of one of his staff members as opposed to his own actions. That's point number one. Point number two, the minister —

Mr Tony Silipo (Dovercourt): We don't know that.

Mr Gilles Pouliot (Lake Nipigon): Remember Mike Farnan.

The Speaker: Order. Members for Dovercourt, Lake Nipigon.

Hon Mr Eves: The second point: The minister in this instance, unlike that instance and unlike several other instances, has voluntarily stepped aside because he understands the integrity of the system, ministerial

responsibility and accountability, and he understands the confidentiality of facts and information in the health care system in Ontario.

Mr Conway: I agree with my colleague the member for Parry Sound, the Deputy Premier: There are differences. This extraordinary behaviour comes after the Martel affair, after we all pledged that it would not and could not happen again, and Jim Wilson was around for that. You know and I know that under the new provisions, post-Martel, the kind of information that Brett James threw at this innocent doctor last Friday could only have gotten into the minister's office on the advice and with the agreement of the Minister of Health and the Deputy Minister of Health. I want to know how, in the post-Martel world, it would be possible for that information to get into the minister's office and to be used so viciously against an innocent victim.

1410

I've got to tell you, I don't expect some bureaucrat to give me all of the answers I need to know and the public deserves to know, because in the Martel affair you were right when you said five years ago this week, quoting Ernie Eves, "This entire issue here goes to the root of integrity of government." You were right then. I want to know what you're going to do to restore the integrity of your battered government today.

Hon Mr Eves: With all due respect, the honourable member is assuming a lot of facts here. He's also imputing some motives here on the part of certain individuals. I think the difference, as I tried to point out in my first answer, between five years ago and today is that the minister today has understood the seriousness of these particular actions of a member of his staff. He has voluntarily stepped aside. He has understood and appreciated the confidentiality, the integrity of the health care system and, more important, the integrity of ministerial responsibility by his actions today.

The Speaker: New question. Leader of the third party.

Mr Hampton: There are several parts of this that create a real problem. First of all, it's our understanding that Mr Wilson, who until a few minutes ago was the Minister of Health, will not be required to submit to the privacy commissioner by means of subpoena and will not be required to give information under oath. It's our understanding that the Deputy Minister of Health will not be required via subpoena to give evidence and will not be required to give evidence under oath. It's our understanding that the manager of OHIP will not be required to attend by means of subpoena and will not have to give evidence under oath. It's our understanding that Mr James, and that anybody else on the minister's staff, will not be required to come by means of subpoena and give evidence under oath.

I want to ask the Deputy Premier, if nobody here has to submit to subpoena and if no one has to give evidence under oath, how do you honestly believe that we will get to the bottom of this matter, given the kinds of shenanigans that have gone on already in the Minister of Health's office?

Hon Mr Eves: The member is assuming that the only way that anybody is ever going to cooperate with the

Information and Privacy Commissioner is if he or she is subpoenaed to appear before him. I can tell you that, demonstrated by the minister's actions today, some people take their jobs responsibly enough to voluntarily do the right thing.

Mr Hampton: I want to talk about the former Minister of Health and his record: December 18, 1995, Jim Wilson opened the committee debate on Bill 26 with an attack on Ontario doctors. In his statement to the committee Wilson accused doctors of defrauding the system and double-billing. In the context of Bill 26, the privacy commissioner had to go after the said Mr Wilson. When Ontario doctors launched their bargaining campaign with the ministry, the Minister of Health wrote to the college of physicians and tried to order them and tried to bully them into something.

Do you understand that it is exactly the conduct of the Minister of Health, Jim Wilson, that makes us so uneasy about this? He has accused doctors of being frauds, he has accused doctors of doublebilling, he has attempted to intimidate the college of physicians, and then you want this person to appear, without being subpoenaed and without being under oath. Given the record of conduct here, given the fact that this information is totally illegal for the minister or anybody else to have, don't you think it is appropriate that these people appear by means of subpoena and give evidence under oath?

Hon Mr Eves: First of all, let's go over the facts as we know them today. The Minister of Health has asked his staff member to resign, and that took place immediately. The Minister of Health himself has voluntarily stepped aside. The Information and Privacy Commissioner has been asked to launch an investigation into this entire matter with the broadest possible parameters. I am convinced that officer of the Legislative Assembly, if he feels that he has inadequate tools to conduct this investigation, will so notify the Legislative Assembly.

HUNTING AND FISHING

Mr John O'Toole (Durham East): My question is for the Minister of Natural Resources, Northern Development and Mines. I recall the campaign promise to dedicate all hunting and fishing revenue back into the resources and to the creation of the Fish and Wildlife Advisory Board to advise the minister with respect to the use of these funds. Could the minister explain what the board has been doing?

Hon Chris Hodgson (Minister of Natural Resources, Northern Development and Mines): I'm pleased to answer that. This is a campaign commitment that goes back to the spring of 1994 that all the licence revenues and royalties of fishing and hunting go back into a special purpose account to give accountability to how these dollars are being spent for the betterment of fish and wildlife.

The board is made up of 11 people, capably led by a biologist and lodge owner, Mr Phil Morlock, and they've met three times this fall. They're giving advice on how the money should be spent in some programs specifically related to fish and wildlife management in the province.

Mr O'Toole: In my riding of Durham East there are many sports enthusiasts who are anxious to see the progress that's been made. I understand you've received recommendations from the board relating to fishing in Lake Ontario. Could you indicate what these are and how you have responded.

Hon Mr Hodgson: The board recommended a new study and public consultation on the fishery in Lake Ontario, which I have accepted and the MNR is now implementing. The recent open houses that have taken place have been described in a recent article in the Toronto Star by John Power, who noted: "Unlike the façade of 1992, the current sessions could be fruitful. There's a new and improved attitude in the Ministry of Natural Resources, which is marching to a different drummer than it was four years ago." This is just one example of improving the natural resource management in the province.

DISCLOSURE OF CONFIDENTIAL INFORMATION

Mr Dalton McGuinty (Leader of the Opposition): I want to highlight for members of this House the double standard that exists between the approach taken by members of the government during the course of the Piper affair and the approach they wish to take now.

The Piper affair, as you recall, was where the press secretary for Premier Rae — my question is to the Deputy Premier — released information to discredit someone then who was causing the government some problems. I want to quote:

"I suggest to the Premier that we're disappointed a committee is not being set up. We're disappointed, quite frankly, that the police are not reporting to a legislative committee of this Legislature. That's where the findings really ought to be reported so that we can give assurance that there's nobody else who is involved."

Those words were uttered in this House on November 24, 1992, by Mike Harris, Deputy Premier, again I ask you, will you consent to a legislative committee looking at this issue?

Hon Ernie L. Eves (Deputy Premier, Minister of Finance): To the leader of the official opposition, I'm sure he'll refresh my memory if I'm incorrect, but it seems to me that in the Piper matter, the Premier of the day took absolutely no action whatsoever. He didn't have the matter referred to any independent individual, let alone an officer of the Legislative Assembly, to report back to the Legislative Assembly. That is the difference.

Mr McGuinty: Perhaps it'll be more helpful for the deputy Premier if I quote his words on November 26, 1992, in this House:

"Mr Deputy Premier, your Premier has insisted in hiding behind an OPP investigation of the Piper matter, but you know very well that an investigation will not probe the political ramifications of what the Premier's office has done, it will not determine how widespread Mr Piper's smear campaign against Judi Harris extended and it will not determine how many other times Mr Piper or others in the Premier's office may have attempted to quash other political opponents."

I continue with the quote: "Deputy Premier, what we need to determine these facts is an all-party committee looking into what was going on in the Premier's office during Mr Piper's tenure. Is your government going to allow that or not?" I ask the very same question of you today, Deputy Premier.

Hon Mr Eves: There are several very important differences between those circumstances and these here today:

(a) The minister has asked for and received the resignation of a staff member who acted inappropriately.

(b) The minister has voluntarily stepped aside as Minister of Health.

(c) There is no police investigation going on. We are not hiding behind anything.

(d) We have actively asked the Information and Privacy Commissioner, an officer of the Legislative Assembly, to look into this very important and confidential matter.

I say to you, as I've said to the leader of the third party, I have every confidence that if the Information and Privacy Commissioner does not feel that he has the tools available to him to enable him to get to the bottom of this and make a worthwhile report and disclosure to the Legislative Assembly and the people of Ontario, he will so inform us.

1420

The Speaker (Hon Chris Stockwell): New question, leader of the third party.

Mr Hampton: In the media reports we've received so far, Mr James said to the reporter in question that he saw the piece of paper months ago, the piece of paper referring to the information which it would be illegal for Mr James to have. I want to ask you, when was this information requested? The manager of OHIP would have known when it was requested, the Deputy Minister of Health would have known when it was requested. When was that information requested?

Hon Mr Eves: I have absolutely no knowledge of how Mr James came to possess any information he possessed. I don't know what information he possessed; I don't know how he came to possess it. That is exactly why the matter's been referred to the Information and Privacy Commissioner.

Mr Hampton: This is quite unbelievable. One of the first things you would expect of a government, the Deputy Premier especially, is that somebody would have called the deputy minister and would have said: "How did this information become available? When was this information requested of you? When did you learn of it?"

Let me ask the Deputy Premier something else. Mr Wilson would have had discussions either with yourself or the Premier over the weekend. What has Mr Wilson told you or the Premier about this incident? As a minister, he must have made some inquiries, he must be trying to hold the ministry accountable. What did the former minister tell you or tell the Premier about when this information became available and how it became available?

Hon Mr Eves: I have had absolutely no discussions with the Minister of Health with respect to this matter. The member is assuming several things. You're assuming

information was requested by certain people, you're assuming the information was received. Why won't you let the Information and Privacy Commissioner look into the matter and report back to the Legislative Assembly? Why don't you have any confidence in the Information and Privacy Commissioner who you were just quoting a few moments ago?

GO TRANSIT

Hon Al Palladini (Minister of Transportation): I would like to respond to a question put to me by the member for Cochrane South on December 3.

Interjections.

The Speaker (Hon Chris Stockwell): Order. Minister of Transportation.

Hon Mr Palladini: I would like to first correct some inaccuracies through the question.

He said that unionized employees of GO Transit accepted concessions to save money. This is not correct. No significant savings resulted from the ATU contract. Any concessions were balanced by gains on other issues. For example, the union agreed to changes in work rules and step wage rates for new employees. In exchange, they received job security during the three-year contract and a card system for prescription drugs.

The member also suggested that workers are taking pay cuts. In fact, the unionized employees of GO Transit will be receiving a raise of 2.4% over the next three years. The savings the member referred to were in fact achieved on the management side of GO's operation.

The Speaker: Answer, please.

Hon Mr Palladini: Four million dollars are being saved through 80 layoffs that took place in 1995, one third of GO's management and supervisory staff. There have been no increases—

The Speaker: Thank you. Member for Cochrane South.

Mr Gilles Bisson (Cochrane South): I'd like to thank the minister for coming back with the answer, but I think we go back to the point where we were last week. The point is that the employees did take a concession in order to help GO Transit in the situation. The minister is trying to dress this up for what it's not. It is a concession and the savings have allowed the GO Transit managers, quite frankly, to get themselves an increase. I say to the minister he should try to do something about it because it's not right for workers to have to take a cut but managers to take a raise at the same time.

Hon Mr Palladini: Four million dollars annually are being saved through 80 layoffs that took place in 1995. That's one third of GO's management and supervisory staff. There had been no increases for these employees for the last five years. Effective January 1, merit pay averaging 3% will be reinstated to these employees for one year, similar to the merit pay to other OPSEU workers in their agreement earlier this year.

Finally, I have been in this House for about a year and a half and I have learned many things from many members in this House, but I can assure the honourable member for Cochrane South he is not one of them.

DISCLOSURE OF CONFIDENTIAL INFORMATION

Mr Gerry Phillips (Scarborough-Agincourt): My question is to the Deputy Premier. It has to do with the resignation of the Minister of Health. The Deputy Premier today said that the resignation took place because a member of the staff did something wrong. What we're interested in is what the minister did. We believe, Deputy Premier, that you can now answer that question.

The question is this: The Premier, I assume, has talked to the Minister of Health about this episode. Can you inform us about the conversation that the Premier must have had with him? I assume the Premier asked the minister if he did anything wrong. Can you answer this question? When was Mr Wilson aware that the confidential information was available in his office and can you determine — have you determined — whether Mr Wilson was at all involved in authorizing that information being made available to his political staff?

The Speaker (Hon Chris Stockwell): I understand the members are referring to him as "Mr Wilson." He's the member for Simcoe West from now on.

Hon Ernie L. Eves (Deputy Premier, Minister of Finance): To the honourable member, I have no knowledge of that. I can say to you that you alluded in your question to the minister stepping aside because someone on his staff did something wrong. I believe the minister is stepping aside because he believes that the integrity of the system must be maintained.

Until we get to the bottom of this matter, with respect to a full investigation by the Information and Privacy Commissioner, and find out exactly what the facts are, we won't be in a position — nobody will be in a position — to be able to attribute or assess blame, if there is any that's due, and exactly what the facts were: who knew what; when they knew it; who requested what; when they received it, if in fact any of that is true.

Mr Phillips: I can hardly believe, Deputy Premier, that you would allow yourself to come to the House without asking that question, because surely that's on the minds of all of Ontario. What in the world was the former Minister of Health doing?

The Premier talked to him. You said, by the way, that the reason he resigned was that a member of his staff did something wrong. But the question is this: When did the Minister of Health become aware that confidential information was in his office, and did he authorize that? Will you, if you do not know the answer to that today, undertake to come to the House tomorrow and give us an answer?

This does not need to await an inquiry. The people of Ontario are deserving of an answer to this from a minister of the crown who clearly has been sitting on a very, very serious situation: confidential medical records in his political office being used to abuse people in this province. Will you commit today, Deputy Premier, to come to this House tomorrow and inform the House when Mr Wilson was aware of this and whether he authorized it?

Hon Mr Eves: To the honourable member, he is assuming and imputing a lot of motive and actions. The purpose of an investigation is to get to the bottom of

every circumstance surrounding this situation. Surely it is best done by an independent individual, who in this case happens to be an officer of the Legislative Assembly.

I say to the honourable member, if the Information and Privacy Commissioner does not feel that he can get to the bottom of this issue and he doesn't have the ability or the tools at his disposal to get to the bottom of this, I'm sure he will so inform the House and other people.

1430

Mr Phillips: The Premier knows the answer. I wish he would show up here.

Hon Mr Eves: If I may take exception to the comment just made by the member for Scarborough-Agincourt, the Premier today is at a public function that he was committed to some time ago. You know very well that it is improper and inappropriate, and quite frankly unbecoming of you, to refer to another member's absence in these premises.

The Speaker: New question. Third party.

Mr Howard Hampton (Rainy River): I think the government's strategy is becoming obvious here. If we try to get answers in the House, if we try to hold them accountable in a political fashion, they're going to say, "We don't have any of this information." We've asked four or five questions and any Premier or Deputy Premier would have come to the Legislature today with that basic information. All they would have to do is phone up the Deputy Minister of Health and say, "Tell me the story," or phone up the manager of OHIP and say, "I want to know the details," or ask the minister. But the government has done none of that. On the other hand, we're going to have a privacy commissioner who doesn't have the power to subpoena and doesn't have the power to get information under oath.

It's very clear that neither avenue here is going to get to the bottom of it, so I ask the Deputy Premier again: We want either a parliamentary committee, a legislative committee, or an inquiry. Either one must have the power to subpoena and the power to get at information under oath. If you want to get to the bottom of this, that's what we need to have. Do you agree that we have either a public inquiry or a legislative committee to get to the bottom of this?

Hon Mr Eves: I will say to the leader of the third party very directly that I can certainly remember a Premier, in fact at least two of them in the last 10 years, who did absolutely nothing under similar circumstances, whose ministers did not resign voluntarily under similar circumstances, except for one who did have the integrity of the system at heart. She, as the then Minister of Health, the member from Ottawa, did have the integrity and did respect the system enough to resign, and I believe what happened in that case — you can check the facts — is that the Information and Privacy Commissioner investigated that case as well.

Mr Hampton: The Deputy Premier tries very hard to miss the point. The point here is this: You refuse to come to this Legislature with the answers and I think it's your duty to come to this Legislature with the answers, and the privacy commissioner is not equipped, either in law or in process, to require people to give evidence under oath or to require them by means of subpoena.

You are setting up a process here where you refuse to answer the questions in the House and you refuse to give us a process that will get to the bottom of this. You know the privacy commissioner does not have the authority, the power, the legal capacity to ask some of these questions and to subpoena people. You know that technically it will be impossible for him to get this information.

The issue is, this is a matter of important public policy, this is a very important matter legally, and we at least have to have the capacity to subpoena and the capacity to question people under oath to get to the bottom of it. It seems to me if you're interested in the truth we have to have that. Will you agree to either an inquiry or a legislative committee to get to the bottom of this?

Hon Mr Eves: I don't know why the leader of the third party would question the integrity or the independence of the Information and Privacy Commissioner. Why do you not feel that he is competent to deal with this issue? And if he's not, I'm sure, you knowing him as I do, he will be the first one to say that he does not have the tools or the methods available to him to get to the bottom of the issue.

GREAT LAKES WATER QUALITY AGREEMENT

Mr Tim Hudak (Niagara South): My question is to the Minister of Environment and Energy. As the minister knows, the Great Lakes and the Niagara River play a very important social and economic, recreational and health role in the Niagara Peninsula and, importantly, in my riding of Niagara South. In fact, bordering to the east is the Niagara River and to the south Lake Erie, and then just 20 minutes to half an hour away from any part of my riding is Lake Ontario.

I understand there have been recently some public meetings to discuss the Niagara River toxics management plan, and at the same time the Lake Ontario lake-wide management plan. I'd like to know from the minister what the government of Ontario has accomplished to date on the Niagara River toxics management plan.

Hon Norman W. Sterling (Minister of Environment and Energy): I really appreciate the question from the member, who is from the Niagara area and pretty much interested in this matter. I want to tell the member that recently there was a committee meeting with regard to administering the plan. There were over 100 people at that meeting. On December 3, we signed a renewal of our declaration of intent signifying our continued commitment to work with our American counterparts and to encourage efforts to remediate hazardous waste sites on the US side of the Niagara River. I am pleased that over the past 10 years the ministry has monitored 21 point sources along the Niagara River. This monitoring has focused on 18 chemicals of concern and indicates reductions of toxics loading of as much as 99%.

Mr Hudak: As the minister and the members of the House know, there are many areas of jurisdiction over the Great Lakes and the Niagara River, especially with the border states. Could the minister explain who is represented on the Niagara River and Lake Ontario coordination committees and what other significant developments have resulted from these committees to date?

Hon Mr Sterling: The committee consists of senior officials from Environment Canada, the United States Environmental Protection Agency, my ministry and the New York State Department of Energy and Conservation. Another significant accomplishment which has arisen from the work of these committees has been the international partnership agreement to develop and apply an innovative computer model for predicting groundwater flow and contamination migration at a former PCB storage site in Smithville. This agreement offers an opportunity to review and exchange information on emerging waste site technologies and is a collaborative effort between Environment Canada, Ontario's Ministry of Environment and Energy and the EPA in the United States. We are working together to improve the environment of this area and we continue to do so.

DISCLOSURE OF CONFIDENTIAL INFORMATION

Mrs Elinor Caplan (Oriole): My question is for the Deputy Premier. I see that he's here and I'll proceed with my question. People in this province are very concerned. They're concerned because government has all kinds of sensitive and confidential information about them. It has all of their medical records. They are concerned, and you have an obligation to address those concerns.

The Minister of Health must request and have good reason for requesting confidential identifying information about people in this province. The people have a right to know why he makes those requests. I would suggest to you, sir, that only a legislative committee with the authority to subpoena people under oath can get to the bottom of that, as my leader has suggested.

Hon Ernie L. Eves (Deputy Premier, Minister of Finance): I think the member for Oriole is quite correct when she says people have every right to be able to have some confidence — in fact, the utmost confidence — in their information with respect to their health records, with respect to health expenditures. I think if she follows the actions of the Minister of Health today — the former Minister of Health, I should say — he obviously took this matter very seriously himself or he would not have stepped aside.

The important thing here is to get to the bottom of the facts: who knew what, how they knew it, why they knew it. I have every confidence that the Information and Privacy Commissioner will be able to do that under these circumstances.

1440

Mrs Caplan: I hope you'll reconsider that answer, because in fact the Information and Privacy Commissioner is not the appropriate person to be conducting this kind of legislative inquiry. If the people of this province are going to have confidence that the sensitive information that you hold is properly protected, they must have the confidence of a full and open public hearing of this matter. I ask you, sir, to do as our leader has requested and assure the people of this province that their confidential information is and will be protected. You can only do that if you hold a legislative committee of inquiry into this important matter. Will you do that?

Hon Mr Eves: The Information and Privacy Commissioner is an individual of the utmost integrity. We have heard comments supporting that from the leader of the third party today. I think everybody in this House agrees. He is an officer of the Legislative Assembly. He has some very interesting and sweeping powers under the Freedom of Information and Protection of Privacy Act, and I'm sure that if he is not satisfied that he has the tools and the authority at his disposal to do a complete and thorough investigation of this entire matter and report back to the Legislative Assembly and the people of Ontario, he will let us know that.

The Speaker (Hon Chris Stockwell): New question. Leader of the third party.

Mr Howard Hampton (Rainy River): Here is the situation. The person who was the Minister of Health has now stepped aside, and so he cannot be asked questions in this Legislature about the Ministry of Health any longer. The Deputy Premier comes to the Legislature today and says he knows nothing. The Premier, who we assume should know something, doesn't come to the Legislature today.

Interjections.

The Speaker: Order. Folks, government members, I'm on my feet. I heard the comment. Government members, please.

Leader, you can't comment on people's absences. I wish you would —

Mr Hampton: Speaker, this is a very serious matter, and yet no one in the government is equipped to or they have conveniently been put aside so that they can't answer questions on this. Then we're told that the Information and Privacy Commissioner will ask the questions, but the Information and Privacy Commissioner can't subpoena people and he can't take evidence under oath. This doesn't look to me to be an exercise that is aimed at getting to the bottom of a very serious issue. The government refuses to answer any questions in the House, and frankly, the Information and Privacy Commissioner doesn't have the capacity to get answers to these questions.

I say to the Deputy Premier, because I think your integrity is on the line here, if you want to get to the bottom of these questions, you have to have a legal process that allows you to subpoena witnesses and allows you to —

The Speaker: Thank you. Deputy Premier.

Hon Mr Eves: Mr Speaker, I can only reiterate what I've already said. First of all, we have to find out what the facts are: who knew what, how they knew it, why they knew it, if they knew anything at all. I think the last thing is a very important thing for the honourable member to keep in mind. "If they knew anything at all" would be a very appropriate thought for the honourable member to keep in mind.

I think the only way we're going to get to this — we have had a minister who has asked a staff member to step aside. We have a minister who has, out of respect for the integrity of the system, stepped aside himself. And we now have an Information and Privacy Commissioner who has been asked to conduct an investigation into this matter and get to the bottom of it.

If in fact what the leader of the third party says is so and if the Information and Privacy Commissioner does not have the tools at his disposal to get to the bottom of this matter, I'm sure that he, being a respected officer of the Legislative Assembly, will let us know that so the appropriate action can be taken.

Mr Hampton: What was obvious about the former Minister of Health's statement today is that he provided no information at all. It's incumbent, I believe, in a democratic government that the minister stand in this House and provide some explanation. He studiously avoided giving any explanation whatsoever this morning. He simply said, "I'm stepping aside so that I can no longer be asked questions in this Legislature about this."

I say to the Deputy Premier, you ask us to assume that this information was not requested by Mr Wilson. You ask us to assume that Mr Wilson had no knowledge. If we make those assumptions, then the only possible conclusion is that the Ministry of Health is operating completely outside the law. If the Ministry of Health is operating completely outside the law, we need to have either a legislative committee or an inquiry, because the privacy commissioner will not have the tools, the power or the authority —

The Speaker: Deputy Premier.

Hon Mr Eves: I didn't say that you should assume anything. I said that what we need to do is get to the bottom of the matter to find out what the facts are. I note that the minister appears to be satisfied. He supports the investigation into this matter. I think that the honourable member should wait and see what the Information and Privacy Commissioner has to say.

Mr Hampton: He doesn't have the power. He doesn't have the authority. He doesn't have the capacity. It's a whitewash.

Hon Mr Eves: If he feels that he does not have the authority or the power to get to the bottom of this, as he did in the case of a former Minister of Health who stepped aside under somewhat similar circumstances, then I'm sure that he will say so.

MARKET ONTARIO

Mr Toby Barrett (Norfolk): My question is to the Minister of Economic Development, Trade and Tourism. A key element in our job creation strategy is to lure offshore investment and boost exports. This is crucial if we are to create jobs.

Minister, you recently announced the Market Ontario initiative, which is designed to achieve these objectives. My question to you is, what strategies and approaches are you using to let the rest of the world know that we truly are now open for business?

Hon William Saunderson (Minister of Economic Development, Trade and Tourism): In response to the question from the honourable member for Norfolk, I would like to draw his attention to our new business ambassadors program, which is part of our Market Ontario initiative.

We've had over 150 volunteers to date to be ambassadors for us. What we want to get is Ontarians who travel not only around the world but to other parts of Canada to

speak on behalf of Ontario. There are no better ambassadors than people who are doing business in the province.

I might say we're very pleased with the response that we've had of highly qualified men and women who have volunteered to serve their province. We've over 100 volunteers to date and we would like to know of any people who would like to do this for us, who travel, to speak on behalf of Ontario.

Mr Howard Hampton (Rainy River): On a point of order, Mr Speaker: Just to put the government on notice, we'll be asking for an emergency debate today on the issue surrounding the former Minister of Health and how confidential information could be disclosed and was disclosed.

The Speaker (Hon Chris Stockwell): Are you asking for it now? Are you seeking —

Mr Hampton: We're asking for unanimous consent.

Interjections.

The Speaker: I haven't even put the question, but I can guess the answer now, actually. Is there unanimous consent for the third party's request for an emergency debate? I heard some noes; there is not unanimous consent.

1450

PETITIONS

CLOSURE OF VANIER CENTRE FOR WOMEN

Mr David Ramsay (Timiskaming): I have a petition to the Legislature.

"We, the undersigned, insist that you continue to operate the Vanier Centre for Women in Brampton.

"This institution provides a wealth of services" —

Interjections.

The Speaker (Hon Chris Stockwell): The member for York Mills, I would ask that you withdraw that comment. It's out of order.

Mr David Turnbull (York Mills): I withdraw, Mr Speaker.

Interjections.

The Speaker: Thank you. Government members and others, please come to order. It's time for petitions and I'd like to be able to hear them.

Mr Ramsay: "We, the undersigned, insist that you continue to operate the Vanier Centre for Women in Brampton.

"This institution provides a wealth of services to a unique clientele that would otherwise not receive the proper rehabilitative programs and counselling that are exclusive to this facility. Perhaps the per diem cost is greater than an American facility, but in the long run the finished product is much more conducive to the wellbeing of the community at large.

"A properly rehabilitated client is the true measure of a cost-effective system. Once again, one gets what one pays for. A women should have access to her specific needs.

"Women should be not tucked away in the basement of a men's prison."

I will affix my signature to this.

TVONTARIO

Mr Len Wood (Cochrane North): I would like to present a petition today signed by more than 500 individuals and organizations across northern Ontario. It reads as follows.

"We, the undersigned, strongly protest any plans to privatize TVOntario. The privatization of TVOntario would jeopardize the Wawatay radio network's native language programming and Wahsa distance education services because both depend on TVO's distribution system."

I affix my signature to this list of names which includes over 500 people.

McMICHAEL CANADIAN COLLECTION

Ms Isabel Bassett (St Andrew-St Patrick): I have a petition to the Legislative Assembly of Ontario.

"His Honour Peter Grossi's judgement in the case of Signe and Robert McMichael against the government of Ontario will completely change the direction of the McMichael Art Gallery. We would like to capture and reflect developing Canadian art from the Group of Seven, Inuit and first nations right up to the present. If this judgement is allowed to stand, the McMichael will become a static museum, frozen in the early part of this century.

"We, the undersigned, urge the Ontario government to appeal this decision so that all aspects of this trial of Canadian art may be exposed before a full three-judge court."

This petition is signed by 361 people, and I affix my signature to this petition.

ROMAN CATHOLIC SCHOOLS

Mr Gilles E. Morin (Carleton East): To the Legislative Assembly of Ontario:

"Whereas the right of Catholic ratepayers to govern Catholic education in Ontario is constitutionally protected in the British North America Act (1867) and the Constitution Act (1982); and

"Whereas the Minister of Education and Training is reviewing and considering a number of reforms to the education system in Ontario; and

"Whereas a number of these proposed reforms could have a serious negative impact on Catholic education;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We strongly urge that the Minister of Education and Training be requested to reaffirm the government's commitment to the maintenance of Roman Catholic denominational rights ensuring that any reforms will not lessen or abrogate any such rights;

"And further, that the minister enter into realistic and meaningful consultation with all education stakeholders that will lead to positive change for students."

EDUCATION REFORM

Mr David S. Cooke (Windsor-Riverside): I have petitions that are expressing concerns about the process that's being used for secondary school reform and

concerns about the consultation paper. I got approximately 4,000 signatures on Saturday and a couple of thousand signatures in previous petitions, and I submit them now.

ST MARYS MEMORIAL HOSPITAL

Mr Bert Johnson (Perth): I have a petition from St Marys Memorial Hospital in the town of St Marys:

"We, the undersigned, petition the Legislative Assembly of Ontario, the Huron-Perth District Health Council, the Health Services Restructuring Commission and the Minister of Health to support continuation of St Marys Memorial Hospital with acute and chronic beds and 24-hour emergency services to effectively serve the St Marys and area community."

It's signed by about 4,000 people.

ROMAN CATHOLIC SCHOOLS

Mr Jean-Marc Lalonde (Prescott and Russell): To the Legislative Assembly of Ontario:

"Whereas the students and staff of St Francis Xavier Catholic High School in Hammond, Ontario, are firm in our commitment to maintain our separate school system,

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To work towards the preservation of our constitutional right to a Catholic education and to impress upon the current government the impact of additional cuts on every student in every school."

EDUCATION FINANCING

Mr Bud Wildman (Algoma): I have a petition signed by 1,813 citizens of Lambton county. It's addressed to the members of the Legislative Assembly of Ontario and it reads:

"Since publicly funded education is a key investment in the future of all Ontario citizens;

"We, the undersigned residents of Lambton county, wish to state that we believe across-the-board funding reductions are having a negative impact on the quality of education for students in the classrooms of Lambton county, and that we believe full, open and ongoing consultation between the government of Ontario and its citizens on publicly funded education is absolutely necessary."

I'm signing the petition.

SCHOOL ACCOMMODATION

Mr John R. Baird (Nepean): I have some more petitions with regard to the Barrhaven high schools in my constituency.

"To the Legislative Assembly of Ontario:

"Whereas the community of Barrhaven lacks any secondary schools to educate the large number of students living in this area;

"Whereas Barrhaven is the most rapidly growing community in Ottawa-Carleton;

"Whereas the National Capital Commission's greenbelt severs the community of Barrhaven from Nepean, forcing many students to take potentially dangerous, unsuper-

vised, hour-long trips on public transportation in order to travel to school;

"Whereas Nepean's high schools are significantly overcrowded;

"Whereas both the Carleton Board of Education and the Carleton Roman Catholic Separate School Board have undertaken significant cost-saving measures to help reduce the construction costs of these high schools;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We strongly urge the Minister of Education to recognize the unique educational needs of Nepean and provide the funding required to build both of the proposed high schools for Barrhaven."

I put my own signature thereto.

CLOSURE OF VANIER CENTRE FOR WOMEN

Mr Tony Martin (Sault Ste Marie): "The government's proposed closure of the Vanier Centre for Women in Brampton and the placement of all provincial women prisoners into a superjail is both foolish and costly. The Vanier centre is a dedicated facility for women, which has developed programs specific to the needs of women.

"A woman's reality is substantially different from that of a man, due in large part to her perceived secondary status in society. Female offenders are almost invariably victims of male violence. They experience low self-esteem and have not developed the ability to act on their own behalf. Women offenders typically have depended upon men or society to maintain themselves economically. They're often caught up in destructive lifestyles that lack purpose and reason.

"Vanier is a unique facility which provides specialized programs to deal with issues like physical and sexual abuse, lack of trust in relationships and low personal aspirations. Based upon compassion and understanding between staff and offenders, the Vanier program provides support, role modelling, behaviour modification and problem-solving skills. Offenders in the Vanier program are 15% less likely to reoffend than offenders who receive no treatment.

"The Vanier Centre is a facility whose success in preventing recidivism is proven. The cost of effective corrections at the provincial level must be balanced with the cost of recidivism if specialized programs are not provided.

"How shameful for the government to even contemplate destroying this facility and its program with a move to the proposed superjails, where the ratio of prisoners to specialized staff will be lowered —

The Speaker (Hon Chris Stockwell): The member for Sault St Marie, that was a petition, was it? Okay, thank you.

OC TRANSP

Mr John R. Baird (Nepean): I have a petition from Jodi Page of Nepean which reads as follows:

"To the Legislative Assembly of Ontario:

"We think that OC Transpo should not be allowed to go on strike."

TVONTARIO

Mr Frank Miclash (Kenora): My petition reads:

"We, the undersigned, strongly protest any plans to privatize TVOntario. The privatization of TVOntario would jeopardize Wawatay radio network's native language programming and Wahsa distance education services because both depend on TVO's distribution system."

That's signed by many of my constituents from Webequie, Sandy Lake, Sioux Lookout and throughout the northwest. I attach my name to that as well.

EDUCATION FINANCING

Mr Frank Miclash (Kenora): I have a petition to the Legislative Assembly of Ontario.

"Whereas the Minister of Education promised that cuts to education would not hurt the classroom;

"Whereas the cuts to education have resulted in many of our very young children being housed in inadequate, poorly ventilated portables;

"Whereas the children who are housed in portable classrooms that occupy crowded school yards are educationally at risk and their safety is in jeopardy;

"Whereas the current moratorium on capital expenditures makes it impossible for some school boards to provide safe, comfortable learning environments for our children, thus adversely affecting the quality of their education;

"Whereas the government of Ontario has proposed that \$250 million be spent on building a superjail while withholding funds for necessary school construction;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Remove the freeze on capital expenditures to ensure that our children are educated in buildings appropriate and conducive to learning, comfort and safety."

I attach my name to that petition.

LONG-TERM CARE

Mr Michael A. Brown (Algoma-Manitoulin): I have a petition that's signed by hundreds of my constituents.

"To the Legislative Assembly of Ontario:

"Whereas the quality of care for residents of nursing homes and homes for the aged is being directly and adversely affected by the funding policies of the Mike Harris Conservative government;

"Whereas the funding deficiencies are forcing these institutions to reduce available staff assistance to residents to unacceptable levels;

"Whereas the user taxes placed on prescription drugs unfairly discriminate against residents of nursing homes;

"Whereas the residents of these institutions are the very people who built this great province and country;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To provide adequate funding for long-term-care institutions and eliminate the user taxes on prescription drugs for seniors."

This is signed by my constituents mostly from the Manitoulin district.

ADJOURNMENT MOTION

Mr Bud Wildman (Algoma): Mr Speaker, I move adjournment of the House.

The Speaker (Hon Chris Stockwell): Mr Wildman has moved adjournment of the House. Shall the motion carry?

All those in favour, please say "aye."

All those opposed, say "nay."

In my opinion, the nays have it.

This will be a 30-minute bell.

The division bells rang from 1502 to 1532.

The Deputy Speaker (Mr Gilles E. Morin): Mr Wildman has moved the adjournment of the House.

All those in favour of the motion will please rise and remain standing.

All those opposed will please rise and remain standing.

Clerk of the House (Mr Claude L. DesRosiers): They ayes are 27, the nays are 63.

The Deputy Speaker: I declare the motion lost.

ORDER OF BUSINESS

Mr Tim Hudak (Niagara South): Mr Speaker, I move that we do now proceed to orders of the day.

The Deputy Speaker: Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it. Call in the members. This will be a 30-minute bell.

The division bells rang from 1534 to 1604.

The Acting Speaker (Mr Bert Johnson): Would the members take their seats.

Mr Hudak has moved that we proceed to orders of the day. All those in favour please rise and remain standing. Please take your seats.

All those opposed please rise and remain standing. Please take your seats.

Clerk of the House: The ayes are 63; the nays are 24.

The Acting Speaker: I declare the motion carried.

ORDERS OF THE DAY

FIRE PROTECTION
AND PREVENTION ACT, 1996LOI DE 1996 SUR LA PRÉVENTION
ET LA PROTECTION CONTRE L'INCENDIE

Mr Runciman moved second reading of the following bill:

Bill 84, An Act to promote Fire Prevention and Public Safety in Ontario and to amend and repeal certain other Acts relating to Fire Services / Projet de loi 84, Loi visant à promouvoir la prévention des incendies et la sécurité publique en Ontario et modifiant ou abrogeant certaines autres lois relatives aux services de lutte contre les incendies.

Hon Robert W. Runciman (Solicitor General and Minister of Correctional Services): I'm proud today to speak about this government's Fire Protection and Prevention Act, Bill 84. This bill will enable municipal-

ities to provide all Ontarians with the best possible level of protection from fire.

Bill 84 makes Ontario a fire safety leader in Canada and it is long overdue. For the first time in nearly 50 years, the issue of fire services is finally being brought forward to legislative debate. Previous governments have launched reviews but have consistently declined to take action. Our government, on the other hand, is demonstrating our fundamental commitment to fire safety in Ontario through the tabling of this bill.

You will hear from the opposition that the Ministry of the Solicitor General did not consult with firefighters prior to the introduction of Bill 84, but a brief history of this issue should address those concerns.

The Fire Departments Act was last amended in 1949, just after the end of the Second World War. Since that time, as we all know, the province of Ontario has grown substantially in size and complexity, and yet Ontario's fire legislation has remained unchanged.

The need to update fire legislation first emerged in 1969, and the Attorney General of the day received submissions for amendments.

The Ministry of the Solicitor General began its review in 1973. Specific action wasn't taken at that time, I'm told, because a workable consensus among all the stakeholders could not be reached.

That review was reinitiated in 1983, but once again consensus could not be achieved among the stakeholders in the fire community. They failed to agree.

The most recent round of consultations began in 1989 under the former Liberal government when the Fire Services Review Committee was established. This committee included representatives from the Ontario Professional Fire Fighters Association, the Provincial Federation of Ontario Fire Fighters, the Ontario Association of Fire Chiefs, the Fire Fighters Association of Ontario, which represents Ontario's 18,000 volunteer firefighters, and the Association of Municipalities of Ontario. That was in 1989 under the former Liberal government. The committee met on a number of occasions in 1990, and then in 1991 under a new government, the New Democratic government. The staff report on the committee's work was distributed for comment in the spring of 1993. All stakeholders, including the professional fire fighters' associations, provided written responses to this report. I do not know why —

Mr Gilles Bisson (Cochrane South): This whole bill is a result of our consultation.

Hon Mr Runciman: Many, many years of consultation, and I'm addressing that whole question with respect to opposition contentions that consultation did not take place. There's been consultation over a significant period of years with all of the stakeholders involved and all of the various governments involved, both the earlier Progressive Conservative government, the Liberal government and the last government, the NDP government. That report, as I said, was distributed for comment in the spring of 1993.

1610

Mr Bud Wildman (Algoma): So your bill is the same bill that we would have introduced.

Hon Mr Runciman: Well, you had an opportunity. The member interjects that this is legislation they would have introduced. I'm sure he was not sincere in that comment, but the point I wish to make is that following receipt of that report in 1993, the NDP remained in power until June 1995 and had ample opportunity to respond to that report and introduce legislation that perhaps was more in keeping with their philosophical inclinations. They declined to do so, for reasons known best to them — perhaps that will come out during the course of this debate — but certainly they had ample opportunity, following those consultations, to introduce legislation, and declined to do so.

Instead of introducing legislation, the former government chose to initiate yet another round of consultations, which began in the summer of 1994 — every several years a round of consultations — hoping to achieve consensus. We're dealing with legislation almost 50 years of age, and over the course of numerous governments, numerous consultations —

Mr Sean G. Conway (Renfrew North): The thing I liked about Bill Davis on separate schools was that consultation was short and brief.

Hon Mr Runciman: By the minister who introduced the legislation, as a matter of fact, although we still get the flak for it.

After the 1995 election, when our party formed the government, and prior to the election as well, we indicated quite clearly that we were prepared to take action on this matter, which had just lingered, lingered and lingered for decade after decade, consultation after consultation.

In 1995, I distributed the fire marshal's report on legislative reform to all of the fire stakeholders for comment. That's called consultation. The fire marshal's report on legislative reform was circulated to all of the various stakeholders, and all of those participants, including the professional firefighters' associations, provided written responses. Follow-up meetings were held — again, ongoing consultation. Meetings were held to clarify the positions of all of the organizations on legislative reform.

Once again, I think we all recognize there may not be a consensus, and we have been unable to achieve consensus. All governments have been unable to achieve consensus, and we have not either with respect to all of the items in Bill 84, but our government feels strongly that it is important to bring this matter forward so that members of the Legislature can fully debate fire services reform.

While there may not be a total consensus, I want to indicate to all members that I have received a large number of supportive letters from fire chiefs, municipal governments and favourable editorial comments that have urged the government to modernize the framework for fire protection and prevention in Ontario.

Mr Conway: What did the Prescott Journal say? They have been hard on you lately.

Hon Mr Runciman: I don't know, responding to the interjection, whether or not the Prescott Journal has commented on that. I doubt that they have, because I am

a dedicated reader of that particular newspaper, fine journal that it is.

Mr Conway: They've been complaining about not seeing much of you on the main street lately.

Hon Mr Runciman: That will be corrected shortly, I assure you.

In my own riding of Leeds-Grenville, the Brockville fire chief, Harold Tulk, said to the government, "The government deserves credit for taking the initiative to bring in a balanced approach." That's according to Chief Harold Tulk of the Brockville Fire Department. Duane Foshay, the city of Trenton's fire chief, said: "The old acts served us well but were designed for another time. These revisions have been needed for many years."

A recent editorial in the Sault Star — I'm not sure what the political editorial leanings of the Sault Star are —

Mr James J. Bradley (St Catharines): Conrad owns it now. Conrad's for this legislation.

Hon Mr Runciman: In any event, the Sault Star editorially said, with respect to Bill 84, "A commendable initiative by the Ontario government."

I have yet to be made aware of any editorial complaint of any of the dailies or weeklies in this province with respect to Bill 84. But if there is one, I'm sure it will arise in the course of this debate.

Mr Bisson: Here it is, from the Enterprise out of Iroquois Falls.

Hon Mr Runciman: I'll look forward to reading that. Our goal in creating this bill is that it be a well-considered piece of legislation which sets the foundation for making Ontario a fire safety leader by ensuring that fire prevention and fire safety education are balanced with fire suppression capabilities that meet the needs of every corner of this province. I want to be perfectly clear. We have listened to the concerns of municipalities, of fire chiefs, of firefighters and their unions about Bill 84, and we are still listening, because we want this bill to be the best fire services legislation possible. I've indicated on a number of occasions this legislation is not etched in stone. I've indicated a clear willingness as much as I can to participate in the hearings process, and if indeed we hear proposals that will improve this legislation, we're very receptive to hearing that and making those changes if indeed they come forward.

With respect to this matter as well, that is why the Ontario fire marshal, ministry officials, my staff and I have met with both the Provincial Federation of Ontario Fire Fighters and the Ontario Professional Fire Fighters Association on a number of occasions. We recognize the enormous contribution that professional firefighters make to our communities in keeping all of us safe.

I just recently indicated to the firefighters' association that I will be meeting with them early in the new year to once again discuss their concerns. I spoke to the professional firefighters on November 21, and at that time I let them know that the government was supportive of public hearings on Bill 84 and that we wanted to provide an opportunity through the legislative process to hear their concerns about this important new legislation. The message of this government to firefighters is clear: We want your input.

This includes the province's volunteer firefighters. Approximately 18,000 of Ontario's 25,000 firefighters are volunteers. They represent a \$1-billion asset for this province, and we intend to ensure that the volunteer system is supported and enhanced through this bill. A number of members of our party have served in volunteer fire departments. I believe, Mr Speaker, you may have served in a volunteer service. A number of your colleagues have; I'm well aware of that.

One I can mention is the member for Prince Edward-Lennox-South Hastings, Mr Fox, a fine gentleman and an outstanding member of this Legislature, a founding member and a former chief of the Sophiasburgh township volunteer fire department, a department that the member Mr Fox served on for, I understand, 23 years. I know that other members of our caucus — I believe Mr Danford, the member for Hastings-Peterborough, has also served on a volunteer service.

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I can also indicate that one of my daughters, my youngest daughter, also serves as a volunteer firefighter in the Front of Yonge township and has served as a firefighter in the past for the Ministry of Natural Resources in fighting forest fires, including when the member for Algoma was the minister. In fact he was introduced to her on one occasion. I'm not sure when he was introduced and she mentioned her name, Runciman, he did give her a second look, but beyond that, she kept her job so we're pleased with that.

Mr Conway: In the old days this would raise the hint of patronage, but not in this new world.

Hon Mr Runciman: Absolutely out of the question.

So I have certainly some understanding, a number of volunteer fire departments in my own riding, wonderful people who have a real, true commitment to their community, the finest citizenship with respect to their contribution and their voluntary contribution, in many instances putting their lives on the line for their fellow community residents. We're very, very proud of all firefighters, but I wanted to especially mention the role of the approximately 18,000 firefighters who volunteer their services.

My priority, as the minister in this role, the Solicitor General, is public safety, and that includes safety from death, serious injury and losses caused by fire. It's a role I take very seriously, and data gathered over the years by the office of the fire marshal indicates that 80% of fires are accidental and could have been avoided with improved fire prevention and public education.

In the past 25 years fire fatalities have dropped 60%, largely due to an increase in fire prevention and public education, such as the introduction of the Ontario fire code, the distribution of smoke alarms and other prevention tools. We must not stop there. Last year 142 people died as a result of fire. This tragic statistic reveals that more must be done to protect the public. In fact, over 30 coroner's juries have called for a more coordinated approach to fire safety and fire protection to help save lives.

That's why Ontario's fire services must emphasize fire prevention and public education. They are essential components to ensuring effective fire protective services throughout this province, and I'm proud to say that with

this bill we are taking action to create safer Ontario communities.

Under Bill 84 Ontario will be the first province to make fire prevention and public education mandatory. Most deaths occur at home, at night, when the occupants are asleep. Many deaths occur where there is no working smoke alarm, and we must prevent fires from occurring, but when they do occur, they must be detected early and people must know how to react when the smoke alarm sounds.

The legislation will permit municipalities to enter into automatic aid agreements with neighbouring municipalities. There has been some controversy with respect to this particular element of the bill, but this is not requiring municipalities to enter these kinds of agreements; it's permitting them to enter into automatic aid agreements with neighbouring municipalities. This makes a great deal of sense, because what it does effectively is allow the nearest fire department, regardless of the municipal boundaries, to respond to an alarm. Automatic aid will give municipalities the tools they need to increase public safety while maximizing the resources available to them.

I can give you a situation. If a municipality in Metro Toronto — there's a municipal boundary, and if there's a fire station two blocks into another municipality, they do not have first response. If there's a fire within that municipality, their fire station may be seven, eight, nine minutes away. We know those first few minutes in terms of response are critical in saving lives and catching the fire before it can grow.

Having the ability to have the closest fire station, regardless of municipal boundaries, respond on a first-response basis makes sense to all of us when we're talking about public safety. Again, we have made this permissive in the legislation. We are not overriding agreements. We're encouraging it to take place and encouraging municipalities and fire services across the province to take a careful look at automatic aid, initially as a public safety measure, of course, but also to achieve efficiencies where they can be achieved and at the same time improve public safety.

This bill will also establish the Fire Marshal's Public Fire Safety Council in legislation. This will enhance private sector participation in the delivery of fire safety education. It will clarify the role of the province and the municipalities in delivering fire services. The bill will also bring common sense to the way fire services are organized on the ground in the municipalities so that fire safety is delivered in the most economical and practical way.

I'd now like to take some time to discuss the details of the bill and how they address each of the important areas I've touched on.

This government has created a new framework for fire protection in Ontario to improve public safety, streamline services and reduce costs. The proposed act does that by consolidating nine separate statutes: the Fire Departments Act, the Fire Marshals Act, the Hotel Fire Safety Act, the Firefighters Protection Act, 1993, the Lightning Rods Act, the Egress from Public Buildings Act, the Firefighters Exemption Act, the Accidental Fires Act and the Fire Accidents Act.

Mr Wildman: Lightning rods? What about the nim-rods act?

Hon Mr Runciman: That might put some people in this place in jeopardy. I won't say who.

Some of these acts are so old, they're clearly irrelevant. For example, the outdated Egress from Public Buildings Act deals with specific issues already covered in the fire code, so that means the egress act has been irrelevant since 1980 when the fire code was first introduced. There's too much red tape in fire services legislation, and that's best exemplified by the fact that we currently have an Accidental Fires Act and a Fire Accidents Act.

1630

I again have to emphasize the fact that this bill makes us a leader in terms of fire safety, because we will be the first province to impose mandatory fire prevention and public education. This sends a clear message that prevention and public education are the most important factors for fire safety in Ontario today.

The member for Renfrew North was mentioning earlier the Brockville Recorder and Times. I have here —

Mr Conway: A fine paper, George Graham's old paper.

Hon Mr Runciman: Yes, Senator George Graham. What party did Senator Graham represent?

Mr Conway: More important, he was from Eganville. There was a time when the Recorder was a Liberal paper, I want to state for the record.

Hon Mr Runciman: The occasions have been few and far between when the paper editorially supported the Progressive Conservative Party, although I must indicate that in the last election, like most dailies and weeklies in the province, they did indeed support the now governing party. They're very objective, I must say, with respect to their editorial comment and are not always supportive of every initiative undertaken or perhaps contemplated by this government. But in this particular instance, with respect to Bill 84, the Recorder and Times said:

"The legislation contains measures that fire officials across the province have been demanding for years, such as the requirement for municipalities to implement fire prevention and public education programs." It's a very strong endorsement with respect to the remainder of the editorial, and perhaps I will put that on the record later.

I want to say that the beauty of this legislation is that it won't cost taxpayers more money. It's actually designed to save money by providing municipalities with the unique opportunity to use the money saved through restructuring to improve public safety. To enhance these efforts, the province will support the best possible level of safety from fire at the lowest possible cost.

The fire marshal's office will work closely with all municipalities, especially with smaller communities, to provide them with the materials they need to implement solid fire protection and prevention programs.

I want to stress that while this bill allows municipalities to determine what will best suit their own needs, the province will not allow any action which could present a serious threat to public safety. The fire marshal will have the authority to review municipal fire protection and, should there be a serious threat to public safety, make

recommendations to council on how these deficiencies could be addressed. That said, we are confident that municipalities will make the right choices and decisions for providing fire services and fire safety in their own communities.

One of the many welcome things the proposed legislation does is give the Public Fire Safety Council legal status. This will enable the council to attract more private sector partners and it will also allow it to expand the council's opportunities to provide public education to all Ontarians. The council — I believe it was brought in by the previous government — has been doing an outstanding job in this regard in terms of recognizing individuals, children who have been involved in a variety of programs sponsored by local fire departments.

I'm not sure if members across the way — I know in opposition I had a number of opportunities to attend the council presentations. This year a number of children were rewarded with recognition, in many instances for saving lives. This also complemented the local fire service in their particular municipality, which was very involved in fire safety education. It's the programs and lessons that these children learned through the programs offered by their own fire service which gave them the information, the tools necessary to make the right decisions in very difficult situations for very young people that ultimately saved lives; in one instance, saved the life of a parent.

There's no question that this council has, in its brief tenure, provided a needed service. With an expanded role, which this legislation will allow and encourage, it will indeed expand opportunities to provide public education to each and every resident of this province.

In fact, the council was brought in in 1993, I see on a note here, and I compliment the previous government for this initiative. Since 1993, the council has played a key role in promoting partnerships with community groups, fire service organizations and the private sector to raise awareness and better educate the public about fire safety. Again, with this enhanced role they will be able to provide materials to all municipalities that require assistance at no cost to those municipalities. As you can see, the council's membership will be representing and has represented a variety of partners, all working towards a common goal: preventing fires.

To date, the office of the fire marshal has been successful in raising funds for public education activities through the council. Although there have been many successes, the council's inability to contract in its own name prevented it from entering into agreements or handling and distributing money. This in turn made it difficult for the council to enter into partnerships with private firms. Bill 84, the bill we're debating today, will give the council the ability to operate separately from government in financial and contractual matters. The council will also be able to receive private donations and engage in partnership activities.

A public education fund will also be set up to develop and put in place province-wide public education programs — again, I want to reiterate, at no cost to the taxpayers of this province.

Most importantly, the changes will improve public safety by ensuring that the public receives a continual and consistent message making people aware of fire safety hazards, emphasizing individual responsibility and providing appropriate information to protect Ontarians from fire.

This bill is designed to improve the safety of all Ontarians, regardless of where they live and regardless of whether their community has professional firefighters or volunteer firefighters. As I said earlier, volunteer firefighters are a valuable asset to this province. Under the new act, the mandate of the office of the fire marshal will be strengthened to provide better firefighter training, giving volunteers the support they need to function effectively. The fire marshal's Public Fire Safety Council will help support the volunteer system by making sure they have the materials they need for public education. In other words, this bill gives volunteer firefighters the extra support they need to keep up the excellent work they already provide to this province.

The legislation will allow municipalities to improve safety and reduce costs by matching effective prevention and public education with an appropriate and affordable level of fire suppression.

The Fire Protection and Prevention Act complements the government's municipal restructuring program by balancing municipal involvement in fire service delivery with provincial support. Bill 84 gives municipalities the flexibility to arrange fire protection services based on their own needs and circumstances. In the words of Barrie fire chief Jim Lexieux — I hope I pronounced that correctly, Chief — "I like the flexibility it allows."

Ontarians living in isolated rural and northern areas may ask, "How does this bill help me?" They will be happy to hear that this legislation will improve public safety for all Ontario municipalities, including isolated rural and northern communities. For the first time it provides unincorporated communities in the north with the authority they need for effective fire prevention and fire safety education. In those areas the traditional focus of fire suppression has not and will not provide the necessary level of public safety. This bill gives them the means to take advantage of technology and place more emphasis on early warning systems and escape plans, and they can do this all through effective prevention and public education.

1640

Another important issue dealt with in the bill, and I spoke to this briefly, is automatic aid, and this is the concept of allowing the closest fire station to respond to an emergency regardless of municipal borders. Currently some cities have their respective fire stations and equipment located immediately adjacent to a municipal border, so if a fire occurred in a specific area of one municipality, a fire department of the neighbouring municipality may be able to respond faster. But because of the way things are structured now, they cannot, and I think, as I said earlier, all of us would agree that that is simply ridiculous, a situation that cannot continue to exist.

When lives are at stake it shouldn't matter which fire department responds, and these changes will make it easier for municipalities to arrange automatic aid arrange-

ments with their neighbours. It's only common sense that whoever can get there faster should respond, and we expect and are confident that municipalities will work together to improve public safety.

I know in my discussions with professional firefighters as well on this issue, I think their primary concern was a misunderstanding that the government was requiring municipalities to enter into automatic aid agreements, that we were somehow overriding contracts that were already in place with respect to questions like this. Again, that is clearly not the case. We're certainly encouraging municipalities to take a look at these kinds of issues because we think they are very helpful in terms of public safety, and second, of achieving efficiencies within their operations.

We are already starting to see positive examples of neighbouring municipalities working together on this particular front. I'm pleased to say that approximately 15 fire departments in Essex county are very close to finalizing an automatic aid agreement that could serve as a model for the province as a whole, and they hope to initiate the agreement early in the new year. We're confident that municipalities, fire departments and professional firefighters will continue to work together to improve the safety of all Ontarians. Of course, public safety has to remain as our top priority, and if we do find problems in the future, we reserve the right and are prepared to act to ensure cooperation with neighbouring fire departments.

As you can see, it is this government's goal to create a whole new framework for fire protection in Ontario, and this clearly and obviously requires updating and modernizing many aspects of Ontario legislation, including labour law for firefighters. As I said, labour relations legislation for firefighters has not been updated since 1948, and obviously many aspects need to be changed and updated to reflect modern labour relations practices.

The changes in this bill will bring the fire services more in line with other labour legislation in the province. Again, I have to stress the key issue here isn't labour relations or job security; it's public safety and security. I know there have been some concerns with this, and I will get into them in a few moments, but I know that firefighters and their unions will be supportive of legislation that enhances the safety of both the public and firefighters.

I have met with professional firefighters in my own riding and I'm quite well aware of some of the concerns that they have with respect to labour aspects of the bill. As I indicated at the beginning of my remarks, they can rest assured that the committee hearings on Bill 84 will be a real and a meaningful forum to hear their concerns. The comments and concerns which firefighters express during public hearings will be taken into consideration during the legislative process.

I am confident that once all the stakeholders look at the package as a whole they will appreciate that, on balance, these changes are fair and reasonable and will improve public safety. This bill ensures people's skills and talents will be arranged and managed in a way that will better serve the public, and that in itself will improve public and firefighter safety.

Again I want to emphasize that any changes made by this legislation will be fair, and I'm confident and expect that all members of the fire service, including firefighters, will continue to work together to create safer communities for all Ontarians.

There are a number of the issues I'd just like to take a few moments to discuss with members, because I know that these are concerns that have been raised by a number of individuals, including members of the opposition, and some of these concerns certainly have been brought to the attention of members of the government as well.

The number one concern is related to collective bargaining rights. Bill 84 does not take away firefighters' collective bargaining rights. In fact, we have actually added a conciliation procedure to increase the chances of negotiated settlements. With respect to collective bargaining rights, the bill also provides arbitrators with comprehensive new powers to subpoena documents and witnesses, and we have provided firefighters with more choice as to who will represent them.

Another issue, and I've talked about this, is lack of consultation. Again, I'll put it on the record: Consultation has been occurring for almost 30 years, the most recent around in 1989, again in 1990 and 1991, again in 1993; and I asked for input in 1995 with respect to the fire marshal's report, so very significant and extensive consultation.

I'm not sure why the Solicitor General of the last regime did not act on the report he had in hand, but he didn't. I gather with an election approaching they felt that perhaps it may have created some dangers with respect to support they were counting on in the labour community. I'm not sure. Perhaps the members opposite can elaborate on that when they have an opportunity to speak to this legislation.

I want to say again that I'm confident that we can all work together, both sides of this House, the fire chiefs, the municipalities, the firefighters, both volunteer and within the professional ranks. We can all work together to create safer communities for all Ontarians. I feel quite strongly that the Fire Protection and Prevention Act will create a safer Ontario for everyone and it will save lives, and safety has to be the bottom line for each and every one of us in this chamber.

The Acting Speaker (Mr Bert Johnson): Comments and questions?

Mr Bradley: The minister did not mention the thousands of firefighters who were on the front lawn of Queen's Park. I remember being outside the Parliament Building with the president of the St Catharines firefighters association, Mr Colburn, and Mr Carpenter, the Ontario president, was on the stage. These are individuals who ordinarily aren't taken to protesting, but they were very concerned that this government was abrogating contracts, or potentially abrogating contracts, and attempting to change the labour relations part of this legislation, to the detriment of the firefighters.

They were particularly concerned because on no occasion have they ever threatened to engage in a strike action, that is withdrawal of their services, or any other action that would be detrimental to firefighting in this province. They have it in fact in their constitution, and it

is their policy not to strike. In consideration of that, I thought it an insult that the province would then turn around and withdraw that particular right that they might have when they had voluntarily forgone that right.

1650

What they were asking for is full public hearings across the province. I, as the House leader of the official opposition, insisted in our meetings with the government House leader that there be full and comprehensive public hearings and not simply here in Toronto but that they be in communities across the province so that firefighters could have a meaningful input into this legislation. Well, there has been some peripheral consultation that has taken place, in their view; there has not been direct consultation in a timely fashion. They hope that they can persuade the government, as I do, that some of the provisions of this legislation are detrimental to fire safety in this province.

While the third party and our party have fought for that and have been able to gain that from the government, we are nevertheless going to want to scrutinize this legislation very carefully and allow for those public hearings so we can have that input.

Mr Bisson: I'm going to have the opportunity in about an hour's time to debate this bill more fully on behalf of my party, but I wanted to direct a couple of questions to the Solicitor General on his opening comments.

The Solicitor General took the time at the very beginning of his speech to try to say and try to put on this façade that he's consulted thoroughly the people of Ontario and all stakeholders in regard to this legislation. We know for a fact that the firefighters of this province have not been consulted such as the minister says they have. In fact, we had over 1,000 firefighters, closer to 2,000, out before this Legislature on the front lawn about a month ago, where they all came from across the province of Ontario, from Timmins, from Kirkland Lake, from places around Toronto, Ottawa and different areas, who said the minister had not been listening and that they'd been urging the minister to at the very least withdraw certain sections of this bill that they find to be quite offensive.

I would say to the minister, in a question put to him directly by Marion Boyd, the critic for our party, he had engaged to go into public committee and into a legislative committee in order to deal with those issues that firefighters say have not been heard by them, they have not been suggested by firefighters. Is the minister still prepared to go to a legislative committee with this bill so that there can be a full hearing and firefighters across this province have an opportunity to have their say? I would particularly like that bill to at least come to northeastern Ontario, to Timmins, because there are many firefighters in Timmins who want to be able to speak on this bill.

But then he has the gall to say, "We have consulted thoroughly as a government," and for that reason he didn't need to move forward. I just want to take a quote here from the last election by Mike Harris, the then leader of the third party, who's quoted as saying this: "We have serious concerns about some of the changes that are being contemplated with respect to the Fire Departments Act. No changes will be made under a Harris government until such time as your members have

been thoroughly consulted." That has not happened, Minister.

What do you say to the firefighters watching in the city of Timmins today, Bill Laffin and others who wonder, about that particular point of the bill that you haven't spoken on?

Mr John O'Toole (Durham East): It's a pleasure to rise today and join with Minister Runciman speaking on Bill 84. I know over the last several weeks I have visited and spoken with many of the firefighters in my riding of Durham East, and they really do as a group exemplify a professional group of people who are concerned that the legislation does not address some of their needs.

I find it rather confusing. When I was first introduced to this, the fire chiefs of Ontario issued a videotape. I'm sure all members got a copy of that. That was one side of the argument. But as I speak with the members from the Whitby and Clarington fire departments, I know what they really want is an opportunity to meet and discuss with the minister. It's my understanding that he's trying to do that.

I want to commend the firefighters in every riding in Ontario and indeed, as the minister said today, the volunteers. In my riding of Durham East, for the large part it has been principally a volunteer organization with a main force operating primarily in one area of the municipality. But with growth it's rapidly changing, and in fact I think this bill is looking at the changes in technology and the changes that have been in place in the last while. If you look at prevention and the decreased number of accidents — and indeed most of the firefighters tell me that they spend much of their time in education and safety training.

I think it's time the legislation was modernized, as the minister said. There are several acts being joined together here. I'm certain at the end of the day we'll have a better, more up-to-date piece of legislation that fills the needs of both the taxpayers and the firefighters of Ontario.

Mr Michael A. Brown (Algoma-Manitoulin): I was also interested in the minister's comments. I was especially interested in the tone. He was much livelier when he was on this side of the House. His Nylol type of speech was quite interesting.

I want to say to him that I too took notice of the 1,000 or 2,000 firefighters that were on the lawn who were less than enthusiastic with the minister's approach to this bill and very concerned that we actually do have full, comprehensive public hearings.

I had Mr Walker of the Elliot Lake firefighters in my office in Elliot Lake just last Friday, as a matter of fact, to discuss these issues. Fully a third of the Elliot Lake firefighters participated on the front lawn here. That is a considerable journey for them to make. They wanted to let the minister know that there were portions of this act that were just not acceptable to them and that they wanted the opportunity to come before public hearings either in the Sault or in Sudbury so that they would have the opportunity to put their points of view across to him.

I want to say, as the MNR critic, one of the parts of this downloading we're now seeing by the provincial government, the provincial government now more and more insisting that municipalities take over some of the

functions of the Ministry of Natural Resources vis-à-vis firefighting on crown lands, basically forest firefighting, is of concern to many municipalities and to firefighters. They're wondering if they're equipped to do this type of work, and they're wondering whether they can afford to do this type of work. I wanted to also interject that into the debate today.

The Acting Speaker: The minister has two minutes to respond.

Hon Mr Runciman: I thank the members for their contributions. The member for St Catharines talked and so did the member for Algoma-Manitoulin with respect to the demonstration on the lawn, and certainly I think part of that was generated through misunderstandings with respect to certain elements of this legislation. Clearly, they still do have a number of concerns. I've indicated a clear willingness to listen to those concerns, and if changes are justified, they will occur.

In terms of the question of right to strike, I think most Ontarians would be surprised to know that prior to this legislation the firefighters theoretically had the right to strike, although the old arbitration system effectively eliminated the need for a strike, because one contract runs into another.

In any event, I have clearly committed to public hearings. I feel strongly about this, and hopefully we can have hearings in a variety of venues across this province.

What else do I want to comment on? The member for Algoma-Manitoulin made reference to a Nytol kind of speech. I apologize for that, but it goes with the territory.

The Acting Speaker: Further debate?

Mr Michael Brown: On a point of order, Mr Speaker: I'm just wondering if I could get unanimous consent of the Legislature to stand down the official opposition's lead speech. Our critic is now in committee, as the government members would know. The member for Carleton East would like to start the debate with a 30-minute intervention.

The Acting Speaker: Is it agreed? It is agreed.

Mr Bisson: On a further point of order, Mr Speaker: I was going to raise the matter later, but on the same point of order, our critic is in committee and will not be able to do the lead. We're asking for unanimous consent for our party to defer the lead till later, and we'll start with me and a 30-minute speech later.

The Acting Speaker: We'll have to ask and get that consent.

Mr Bisson: I asked for unanimous consent, Mr Speaker.

The Acting Speaker: It is a point of order, and I will take it now. Is it agreed? It is agreed.

1700

Mr Gilles E. Morin (Carleton East): I must just make not a point of order but a remark towards the minister, the member for Leeds-Grenville, that I've heard him before talking in a more vociferous way, and I hope, Minister, that the fire in you is not out.

I'm pleased to speak to some of the concerns about Bill 84 that have been raised with us by the professional firefighters of Ontario. Bill 84 consolidates nine acts into one comprehensive statute in the name of simplification, but its purpose seems to be to open the door to privatiz-

ation, downsizing and the erosion of protections for firefighters.

The guiding principle of any legislative reform dealing with fire protection should be to maximize, not compromise, public safety. Organizational restructuring to achieve cost savings is acceptable as long as public safety is assured. That is something the people of Ontario expect the provincial government to do in a responsible and consultative fashion.

In our consultations with them, firefighters have expressed the view that the changes put forward in Bill 84 will compromise public safety in ways that may not be immediately apparent. This government has consulted with the fire chiefs, the municipalities and the fire marshal of Ontario in drafting this particular piece of legislation. But after repeated requests the front-line professionals, the firefighters themselves, have not been able to get a hearing from the Premier or the Solicitor General.

Previous consultations that have included the Provincial Federation of Ontario Fire Fighters and the Ontario Professional Fire Fighters Association stalled because certain issues could not be resolved. They are still not resolved. That is why we have been pushing for public hearings.

One of the concerns that firefighters have is that some of the provisions of this bill open the door to the privatization of fire services, a very real possibility given this government's preference for privatization over the delivery of services by public servants.

Although not automatically a negative, privatization can lead to a scaling back of services to the bare minimum required, and with something that Ontarians consider an essential service that may not be the best option. The point has been made numerous times when an organization has its eye on the bottom line, service can be badly affected by cuts whose impact is unknown or downplayed until disaster strikes.

Experience in those communities in the United States that have contracted out their fire services illustrates the problem with maintaining acceptable response levels when the profit motive comes into play, as it inevitably must. In the aftermath of a fire that consumed 23,000 acres of prime Arizona land, officials were questioning how the disaster was managed and why the response was not better coordinated. Answers were not forthcoming from the private sector corporation that is responsible for fire services in that community. Public scrutiny and accountability are issues to be considered here.

During a speech he was delivering to an audience in British Columbia recently, Ralph Nader said it was puzzling how often Canadians try to fix things that aren't broken, how many things we do well and then we want to change for the sake of changing. Firefighters have been able to provide exemplary service to the people of Ontario under the existing act. Nevertheless, firefighters are in agreement with many of the changes included in this bill. However, they are afraid that the public will not recognize the wolf in sheep's clothing that is contained in the labour provisions of the bill and how it will ultimately affect them.

One of the major irritants to firefighters is the first article under "Working Conditions," prohibiting firefight-

ers from striking. The government well knows that professional firefighters have voluntarily accepted it as their moral responsibility to provide and never withhold what the public considers an essential service. The bill, therefore, starts with a premise of confrontation where none need exist. Firefighters are highly motivated and dedicated to public service, something this bill fails to sufficiently recognize.

Professional firefighters have adapted to the needs of the public by voluntarily taking on a vital role in emergency rescue. It is well known that the response time to a 911 call by firefighters is shorter by half compared to ambulance services, four minutes as opposed to eight. Firefighters are therefore often the first on the scene of a medical emergency. As a result, they are continuously trained in various diagnostic and resuscitation procedures, including cardiac defibrillation. Firefighters are often called to the site of motor vehicle accidents to extricate accident victims from their vehicles. Firefighters were the first on the scene at the great train derailment and chemical spill in Mississauga in the 1970s. Their professional expertise in hazardous materials emergencies allowed them to play a vital part in containing that tragedy.

Because of the nature of their work, illustrated through these examples, it is extremely important that firefighters be ready to respond to an emergency at a moment's notice. However, certain provisions of this bill leave the door open for part-time and on-call staffing, which will have a very detrimental effect on firefighter readiness to respond and public safety.

The minimum allowable deployment of firefighters per fire truck has been an issue of contention for firefighters. They feel that their ability to respond is compromised by understaffing on site at emergencies. Legislative changes to hours of work will further decrease the number of firefighters available and their individual preparedness for their extremely demanding responsibilities.

Professional firefighters take their work in defending the public safety extremely seriously. Unlike fire chiefs, who are essentially administrators, firefighters are on the front line and know the anguish of the mother who can't reach her child. They understand like no one else what resources are needed to do the best job they can do and to prevent tragedies.

The public expect the best in emergency response, and they are getting it now. My question remains, how will the government guarantee the highest level of public safety in our firefighting services? Because we have had the opportunity to just touch upon the issues involved in this bill, I look forward to public hearings in the near future when the views and concerns of the professional firefighters of Ontario can get a full airing.

The minister, in the preamble of the bill or in his presentation, said that he wants the best for this legislation. All he has to do is to go that extra mile, conduct hearings, listen to what the professional firefighters have to say. He may have a surprise. Of course, there are certain irritants that have to be solved, but all you need to do is to go and listen to them, so simple, and then pass the legislation afterwards.

I hope these arguments that we've brought forward will help the minister to understand again how important

that issue is to our firefighters. Take the time, listen to them, understand exactly what their problems are. They've asked for repeated meetings and have never had any success. It's so simple. Ask them to come forward, ask them to meet, and then, after that, pass your legislation.

1710

The Acting Speaker (Ms Marilyn Churley): Questions or comments?

Mr Wildman: I appreciate the comments of the member for Carleton East on this piece of legislation. The minister, in his remarks in introducing the bill for second reading, argued that there had been widespread consultation for many years by three governments — the Bill Davis Conservative government, the Liberal government and the New Democratic government — and therefore he said it was not necessary to have widespread consultation. His attitude ignores the fact that the legislation, as drafted by this government, might in itself produce a lot of controversy, and we've seen that in terms of the concerns of professional firefighters and their association.

It's not enough just to have consultation. Once the bill is drafted, it's important that those people directly affected by it, the people who are entrusted with the responsibility to save lives and property from fire and to prevent catastrophes that can result from fire, should be consulted directly on the actual wording of the proposed legislation and what it might mean for them.

In this particular case there hasn't been proper consultation. The minister read out the opinions of many fire chiefs. He couldn't point to any opinions of representatives of the firefighters themselves because they felt and still feel that they have been left out of this process, that they haven't been consulted, and many of them probably believe they've actually been insulted because they were promised by the Premier that they would be consulted and they haven't been. So rather than being consulted, they've been insulted.

Mr Tony Clement (Brampton South): I'd like to thank the honourable member for Carleton East for his comments. A lot of the debate so far this afternoon has centred around the issue of consultation, which of course is a very important issue in any important piece of government legislation.

I would like to record at this time in the House that I had the opportunity to meet on two occasions with Mr Don Roy, who is head of the Brampton firefighters association. My colleague Mr Spina from Brampton North has done the same. Through those consultations it's very interesting that once you get beyond the layer of rhetoric and sit down with representatives of the firefighters, how soon there are areas of agreement where all parties can understand that something important has to be done with respect to fire suppression, fire prevention and fire education in our province.

The firefighters I have had the occasion to talk to in Brampton want to work with the province. They understand that fire prevention and fire education to prevent fires in the future has to be a priority and they are pleased that this government has made it a priority in the new legislation. They are concerned about fire safety in their communities and they are also, I might say, quite

supportive of some of the provisions of automatic aid. They want to see how that is going to flow through and how it will be operational, which is a legitimate concern.

These are the sorts of things we can do in committee and through public hearings. This is not legislation that precludes that; it is simply the first opportunity to put down on paper a direction that has to be done to make Ontario more safe when it comes to fire prevention and fire suppression. That has been laid out by the Solicitor General here today. Now we have the opportunity, through a public consultation process, to work with firefighters and fire chiefs to ensure that fire prevention, fire safety and fire education are the priorities of the government and the people of Ontario.

Mr Gerard Kennedy (York South): I too wish to remark that there are things in this bill that can find support from people across the province interested in fire protection. But there are also problems which are characterized, I think, by this government's problematic approach to many matters.

We have here an unnecessary division being created, a wedge again being put forward in place of what ought to be a straightforward approach that focuses on how to improve fire prevention. Instead, it becomes a pretext for this government's agenda in terms of labour, in terms of creating unfair balances between different groups in society. We wonder almost if this isn't a recreational sport for this government, as they've tried now to set up firefighters, along with teachers, daycare workers and others in society, as targets rather than people to be worked with, people who are to be valued in society.

We heard the minister talk earlier about the value of volunteer firefighters. There's something the minister can't bring himself to do, which is to give credit to paid public servants, people who act on behalf of the public service in this society who have the public interest at heart. We think that the elaborate construction of this bill provides a difficulty, obviously, to many of the firefighters across the province. They've asked for and, thanks to the work on this side of the House, received hearings, which I think is very important for this government to pay more than its usual cursory attention to.

Firefighters unfortunately can look forward to that kind of treatment on the part of this government. We've seen it before in the hearings on rent review and we've seen it on the video lottery terminals. We know there really are no boundaries in terms of this government's ability to try and divide what should be a unified, cooperative approach to updating legislation after all these numbers of years. We see that the human resource component is where this government, time and time again, falls down, unable to find a way to make partners out of the very people we depend on for fire protection.

Fire protection won't come about because of the laws. It'll come about because of the willingness of the people to participate.

Mr Bisson: I enjoyed listening to the short comments on behalf of the member for Carleton East, who always brings a point of view which basically cries out to the government: "Listen, what you really need to do here is quite simple. Listen to firefighters." After all, they're the people who are going to be directly affected by this bill.

Section 9 of the bill runs into their collective agreements and basically takes away many rights that firefighters have now.

The very least the responsible minister, the Solicitor General, could do is to listen to what firefighters have to say. I listened previously, as did the member for Carleton East, to the minister, who said, "I don't have to listen to firefighters, because that's what the NDP government did, and I'm building on the work that they did." The first point is that no, you're not listening to firefighters; we were. But the reason we didn't bring this bill forward is that we don't believe that a government should infringe on the rights of firefighters by taking away the rights they have within their collective agreement, and that is what you are doing.

I say to the minister opposite, as the member for Carleton East did before, that you promised specifically, prior to and during the last election on numerous occasions, to the firefighters across this province that you would not move forward with any kind of legislation affecting firefighters unless you went out and spoke directly to them, consulted with them and worked with them and other interested parties to bring forward a balanced piece of legislation. That's not what you're doing in this case. You sat down with the people at AMO and with fire chiefs, then you concocted this bill to run over the rights of firefighters and you're not taking the time to talk to them. Then you've got the nerve to come into this House and say that somehow or other you've done some form of consultation.

I say to the minister across that it's really simple: Remove section 9 of the bill, at the very least. If you're not going to do that, go to out with a committee so that firefighters across this province can have their say. I'm sure their message is going to be loud and clear to the minister.

The Acting Chair: The member for Carleton East.

Mr Morin: Minister, the recommendation I'd like to make to you is to give them a chance, listen to them, go and consult them. You may again be surprised at the information you'll be able to gather. The issue is not that complicated. Give them a hearing. Give them a chance to express themselves. If I can use a pun, climb that last rung on the ladder to listen to what they have to say. It would be so simple. You have the right to do it. All you have to do is convince your own colleagues around you. Go and listen to them and perhaps you'll be able to achieve that perfection you're looking for. All it takes is a bit of time, a couple of weeks, then the issue would be settled. Listen to them. That's all you have to do.

The Acting Speaker: Further debate?

Mr Bisson: I stand today, at the beginning of this debate for the NDP caucus, just advising people, as previously agreed, that there was unanimous consent to allow our critic to do her lead a little bit later because she's now in committee.

There was an agreement by the government House leader that this bill would not come forward the way it is now, and that distresses me to a certain extent, because I think it shows that the government sometimes doesn't quite mean what they say. That is really a problem with this government. They say one thing —

Interjection: Forked tongue.

Mr Bisson: The government speaks with a forked tongue sometimes. I would say that the government specifically, on this bill, had made some promises to firefighters. They didn't hold to those particular promises, then they came into this House later and made a deal with the opposition critics with regard to this bill so they would have an opportunity to speak on it, and the government in some way tried to sneak this bill into the House, knowing full well that the critics are down in committee. I think that says volumes about this particular government.

1720

I would like the minister responsible to think about this bill a little bit because I think they really haven't gotten the point. We've only started debate on this bill and already members of the opposition have stood and have said firefighters across this province are upset about what this bill does. They want section 9 either removed or greatly ameliorated in regard to taking away a lot of the takebacks that you're taking out of their collective agreement.

For the minister to think about it a little bit harder and for the previous Minister of Health to think about his situation a little bit harder, I would move adjournment of this House, as the minister thinks about what he's doing to firefighters across this —

Interjection.

The Acting Speaker: I'm sorry, did you make a motion?

Mr Bisson: No, I will continue on with debate.

The Acting Speaker: I'm sorry, I missed it.

Mr Bisson: No, that's fine; a little bit later.

Interjections.

Mr Bisson: No, listen. You guys can get upset all you want on the other side. You guys get upset when members of the opposition have the audacity to stand in this House and to speak out on behalf of Ontarians about what they feel is a bad piece of legislation. Then you stand in this House and you try to chastise us for doing what we can to stop your agenda.

Mr John Hastings (Etobicoke-Rexdale): You stop chastising us too then.

Mr Bisson: Listen, we don't have a lot of power in this House. You guys happen to have the majority and you see fit to railroad over workers in this province, you see fit to railroad over firefighters in this province. Don't start chastising members of the opposition for trying to do what they can by way of the rules in this House to protect the rights that they enjoy in this province.

As I said earlier on, let's put this into context. The government is coming forward with a bill. It's called Bill 84. This particular bill does a number of things, some of which I think are quite frankly supported by firefighters. Some of them are supported by many people in this province. But there is at issue within this bill a number of sections that really have a problem.

The first part of the bill, section 2, in regard to how it deals with the rights of managements across Ontario, namely municipalities, to privatize fire services in this province, is greatly opposed by many people. I would say not just firefighters but I think most fair, decent people in

this province don't want to see fire services privatized and given over to the private sector such as has been done in the United States.

The other part of the bill that I can tell you many people disagree with is section 9 of the bill, where you're basically taking away the rights of workers in this province, namely firefighters; taking away rights that they've long enjoyed within their collective agreements. To do what? So that you can give your friends at AMO and you can give your friends the fire chiefs in this province the ultimate say about what will happen in their collective agreements.

I think there's a pattern that has emerged here that's very clear. This government, on being elected in June 1995, chose sides. They said, "We are going to be on the side of big business and we will be on the side of power, and to hell with everybody else." But when it comes to firefighters, when it comes to workers, when it comes to day care workers, when it comes to many other people in this province, this government really has no sympathy for their particular situation.

The other thing I want to say just before starting debate is I want to remind the members of this House, and I want to remind especially those members who didn't sit here pre-1995, that the Tory opposition caucus, the third party of the day, was very specific in regard to what promises it made to the firefighters of this province. They travelled the province. I remember when we were doing our consultations on changes to the firefighters act, your caucus, the then leader Mike Harris, who is the Premier today, along with the Solicitor General, Mr Runciman, travelled throughout Ontario and tried to make accusations against the NDP government about what it was going to do with that particular act.

I think the proof is in the pudding. We never contemplated doing takebacks with the firefighters in the province. We've always believed, as an NDP caucus and as a party, that firefighters provide an essential service to the province and those services are being carried out by professionals. These are people who need our support and not people who need to be hit in the head in the way that you're doing with this legislation.

What really is appalling is that the now government, the then third party, went around the province and made promises to firefighters. I remember because firefighters in the community of Timmins came to me and I remember them specifically sitting with me prior to the election of 1995 saying: "We have a document here. We have a document that's signed by Mike Harris, the leader of the third party, that if they're elected government they would never move to do anything to firefighters, they would never move to take away any rights that they have, and if they did anything they would consult with the firefighters of the province of Ontario. Gilles, will the NDP do the same?"

I said, "Listen, I've been coming to this firehall since I was elected. I've been consulting with firefighters, as I do with the other people in the riding of Cochrane South, on a regular basis. You have my support, as you have always had my support."

Luckily for me, and I think luckily for our riding, I was elected. They decided not to believe the promise

made by Mike Harris of the day, because I think the firefighters in the city of Timmins started to recognize fairly early on that these were pretty lame words. I just want to read what that promise was.

He said, "We have serious concerns about some of the changes that are being contemplated with respect to the Fire Departments Act." This is what he promised the firefighters and this is what Mike Harris signed by his own hand, with his pen, to a piece of paper, this promise: "No changes will be made under a Harris government until such time as your members have been thoroughly consulted. We will insist that all change be fully costed both from the point of view of the workers as well as management."

Has that happened? Not at all. You have gone out and consulted, all right. You sat down with the fire chiefs on a couple of occasions and you sat down with the people at AMO, the people representing the municipalities, who happen to be the employers. You did not consult with firefighters in this province, and don't try to make us believe that you did, because there were thousands of firefighters on the lawn here in front of Queen's Park not more than a month ago who said: "Listen, you guys made promises to us. You came to our fire halls. We met with you before the last election as firefighters, and the Tories promised they would not do this unless" — first of all, they wouldn't do anything that was detrimental to the firefighters of the province of Ontario, but second of all, if they did anything, they would consult. You guys broke your promise. You broke your word to the firefighters of this province. Yes, you can sink in your seat. That's what you should do.

I had the opportunity to sit here last week and to listen to the Conservative members on the Fewer Politicians Act go on at length about how important it was for politicians to keep their word. "Those politicians, if they don't keep their word, they're nothing." I agree. You guys didn't keep your word on this. You broke the promise to firefighters, and what you've done is you've gone over and given them a slap in the face. Then you wonder why firefighters in this province are upset at you. They're upset because you've done a number of things in the act. Let's just go over some of the changes you've done in the act that firefighters and others are really concerned about.

One of the things you're doing in this particular act is that in section 41 of the act you're going to make it possible for municipalities across the province to privatize fire departments. Now, why would anybody want to privatize a fire department? Are you trying to say that the firefighters in the city of Toronto, in the city of Vaughan, in the city of Timmins or Sudbury don't know what they're doing, that somehow the services that they — you nod your head yes. There we go. The government is saying that firefighters don't know how to do their job properly.

Interjection.

Mr Bisson: No, listen, you're the one who's nodding his head to the affirmative. You've answered my question. One of the government members at the very least, and I think his seatmate, is saying yes, that's the case. Are you trying to tell firefighters that they don't know

how to do their jobs, that they're not professionals, that somehow they're not looking out for the safety of the people in our communities? If that's what you're asking, that's probably why you're trying to privatize.

I say no. Firefighters in Ontario are professional people. They take their jobs seriously. They are members of our community who are entrusted with the responsibility of our lives. They take the responsibility of their jobs quite seriously. They go out and train on a regular basis. They volunteer their services more times than not before they become firefighters for many years before they get an opportunity to even serve. But once they get there, they serve and they serve with distinction.

I hope I never have this opportunity. I hope I'm never in a fire and having need of a firefighter. That's not a situation I would want to be in. But there are many people in the province of Ontario whose lives have been saved by firefighters. Those firefighters have gone into the fire knowing full well that it's their lives they're putting in jeopardy, and they don't think twice about their lives. What they care about is making sure that if there's anybody in that fire, they're going to try to get them out safely so that those people can have an opportunity to live.

I can tell you volumes of stories of what happened with firefighters in the city of Timmins over the 20 or 30 years that I can remember fire services in the city, where firefighters like Len Pigeon and others have gone into burning buildings in order to pull out children as they sleep because there was a fire in the building and the children were overtaken by smoke — people going into buildings and taking them out at great risk of injury to themselves. In many cases the firefighters are either injured in the line of duty or they're killed.

This government has the audacity to come into this House and say that we are going to make it possible for municipalities to privatize? The government's argument is, "We're not saying that firefighters are not professional. We're not saying they don't know how to do their job. We're only giving the municipalities the opportunity to privatize if they so choose." Well, where's your responsibility as a provincial government? There are municipalities in this province which might just take you up on this chance within this particular section of the bill, section 41, to be able to privatize fire services. What we have learned from experience is that, wherever privatization initiatives have gone forward, when it comes to privatization it has been a disaster.

1730

They have tried it in many municipalities in the United States. They said, "We can do it because we can save dollars," and what has happened? Safety concerns are at an increase because the safety of people within a community is at risk, and you know what? They're not saving any money. So, why would you do this if it's not to slap firefighters in the face?

I say the very least you can do is remove section 41 of the bill. I agree that there are sections in Bill 84 that are good. There are sections, when it comes to public education, when it comes to fire safety, that are quite good. There are other sections in the bill that deal with

how fire departments are structured within municipalities of unorganized townships. Those are good.

But why are you putting in section 41 that a municipality has the right to privatize? I think that's wrong. I think you should remove that particular section of the bill. The other part is that you're changing definitions under section 41. There are definitions that are being changed so that you can allow fire departments, namely cities or towns, to hire less qualified people to be firefighters. Why would you do that? Don't you want the most qualified people available in a community to fight fires? Why are you allowing municipalities to go out and to contract out services, if you don't privatize, to private individuals to do firefighting or to utilize less qualified people than we now have within our fire services protection in our communities? Why would you do that?

Do you believe that you'll never be in a fire, so this legislation will never affect you? I hope it doesn't, but if a fire happens in your house, you'd better hope to God that you've got well-trained firefighters who can come in and do the job of protecting your life. What I want for the people within our community is to make sure that the firefighters who work for the city of Timmins and our fire department are the best-qualified people, and that's what we have now. I don't want you monkeying around with this legislation to allow the municipalities, because they're trying to deal with your offloading of dollars being cut through transfer payments by reducing the standards they have to put in regard to what the qualifications of a firefighter are, to go out and lessen the number of firefighters.

For example, on a shift in the city of Timmins, you have five or six firefighters per shift. You're going to allow them, under this particular legislation, to reduce that number of firefighters, the people who are qualified, from six down to maybe three or two, and the rest of them will be strictly on a volunteer basis. I say that's wrong. You shouldn't be monkeying around with that. You want to make sure that you've got people there who you can call immediately for first response and use your volunteers afterwards, and at the very least, you want to make sure they're properly trained, as they are now. So, don't monkey around with section 41.

There are a whole bunch of other sections. I'll get into section 9 in some detail if you give me a moment. Section 9 is really an atrocity. Section 9 deals, basically, with the labour relations aspect of firefighting. You've got some real winners in here. I, quite frankly, think some of this won't even stand up in court because some of the rules you're putting in this legislation are fairly draconian and are not in keeping with any of the legislation that's out there now.

The one that everybody's talked about, and I'm not going to go into it at length because I think we understand this, is that you are, under section 42, removing the right to strike of firefighters. Why are you taking away the right to strike of firefighters? Have firefighters in this province been frivolously going out on strike and holding up the public for ransom in order to get better collective agreements? No.

Firefighters have not gone on strike because, as I said earlier, they're professionals. The people who work for

fire departments across the province take their job seriously, and they have no intention of going out on strike. They believe that you sit down at the negotiating table and you try to get the best possible deal you can for your members. The professional firefighters' associations, the two of them, go out and do exactly that at the bargaining table with their local members, and then, if they're not able to come to an agreement, there's an arbitration process that's in place already.

So, why are you going to firefighters and saying, "You're not going to have the right to strike"? I see that as a slap in the face. That's really coming on to the firefighters of this province with a club. The Mike Harris government is saying, "I'm going to leave a stamp on you." Whap. That's what you guys are doing. Why? It's for nothing. What are you going to gain out of it? What's to be gained by eliminating the right to strike of firefighters? At the very least, remove that section of the act. It hasn't been a problem up to now.

What you're doing is penalizing workers in this province who have taken responsibility for 50 years, because these workers, the firefighters of this province, have decided through their own code of practice, their own code of ethics, to not go out on strike and to try to negotiate contracts at the bargaining table and have done so for the past 50 years. You're saying: "To heck with all of that. Throw it all out the door. It don't mean nothing. We don't encourage workers to be responsible, because the Mike Harris government, it's got a club — thud — and it does what it wants." Remove section 42.

The other part is under subsection 43(3). There are a whole bunch of different parts here, but the first part, subsection (3), reads:

"(3) A fire department may arrange firefighters' hours of work according to a shift system such as a platoon system where the firefighters are divided into two, three or any other number of platoons."

Then that section goes through to spell out what the shifts are. It's long been understood that firefighters, when they go to the bargaining table, negotiate their hours of work. They have X amount of hours that they have to work within a cycle, but how they arrange those hours of work is arranged at the bargaining table. It's taken many years for the system to evolve to what we have. One of the appeals of being a firefighter is the way the shifts are structured. What you're now doing with subsections 43(1), (2), (3) and (4) of the act is that Mike Harris is grabbing his hand and he's going right into your collective agreement. He saying to firefighters in Timmins, Sudbury, Sault Ste Marie, all over the province, "I'm going to take that section out of your collective agreement because Mike Harris knows what your hours of work should be."

What they're going to allow under this is that — here, I'm just going to give you a couple of examples. If you have a fire department that has only one platoon, it's only going to allow 10 consecutive hours of work with a 14-hour cycle off. In other words, they're not going to be able to negotiate an agreement as they have now where they might work two 14s in a row and rotate the shifts around. If you've got a three-platoon system, each platoon may be on duty for a period of not more than

eight hours, immediately followed by 16 hours of time off. So if you've got a three-platoon system, you're not going to be able to negotiate the kinds of shifts that you have now.

Why are you going to firefighters in this province and saying: "Mike Harris knows it all. Mike Harris is smart. The Premier and the Solicitor General are going to dictate what the hours of work should be in the collective agreement"? Why are you doing that? Are you trying to tell firefighters they don't know what they're doing? You wonder why firefighters get upset at you.

I listened to one of the Conservative members opposite say, "I've had firefighters come to my office to talk about this bill." I'd like to know what the firefighters said to that particular member. I would bet you that what they had to say was not very positive, but in order to support his government and to make himself look good so that maybe he'll become a cabinet minister now that the Minister of Health has had to resign, he says nice things about the government. He might get into cabinet. You should think about your own constituents. You should start thinking about the constituents in your riding and not have to worry about what the heck you're going to end up in cabinet. The circle that Mike Harris draws in his cabinet, I think the bench level is not a very high one at times, so I don't know why you'd want to aspire to that.

But tell me, why is the government so intent on determining what the hours of work should be? That should be clearly something that's left up to the collective bargaining process; that's something that should be left in the hands of both the employer and the firefighters to negotiate for themselves. I ask the Solicitor General, who's here, to please listen to the firefighters in the province.

Hon Mr Runciman: I'm going to.

Mr Bisson: He says he's going to. I certainly hope you are, because I know many firefighters will come to you and say: "Don't monkey around with our hours of work. It's taken years to negotiate the system that we have, and quite frankly, Solicitor General, the hours of work is one of the appeals of this job." Because they have hours that are negotiated the way they are, they front-load their hours in some cases to be able to be at the firehall, to do the work that they've got to do and to be there responding to fires etc, and then they get some time off and can go out and do what they have to do. There are many people in the industrial sector who would like to be able to have the same type of hours negotiated into their collective agreements. Why go in and take it away? I don't think it's right.

The other thing is under subsection (8) of that same section, and again this is something that's not necessary. It's really heavy-handed, in my view. It says:

"(8) A firefighter who is assigned to duties other than firefighting shall not be required to work or to be on duty for longer than the number of hours in the average workweek of a firefighter in the same fire department."

What that means is that once the municipality of Timmins, as an example, decides that it's going to go to the fire department of Timmins and it's going to regulate what the hours of work are, and they say, "Okay, boys,

you're on an eight-hour swing shift," just like they had in the mines in the bad old days, the firefighters can't do anything about it, because it'll be spelled out in this act. It means that the fire prevention officer, like Mr Ciccone, will not be able to work any hours different from what has been dictated by management under subsections 43(2), (3), (4), (5), (6) and (7). Why not allow people at the local level to make that decision for themselves?

1740

The government is proud to stand in this House and say: "We need to put the decisions closer to the people. We need to give the powers to the municipalities to be able to decide what they need to do at the local level." If you're true about that, allow people locally at the bargaining table to decide what their hours of work should be. I don't think the government should be monkeying around with that.

Sure, there might be situations now where managements today are unhappy with what they've negotiated when it comes to hours of work over a period of 50 years with firefighters, but who negotiated the agreement and who agreed? If they don't like it as a municipality, let them put it on the table. Let them try to negotiate it out of the collective agreement. If there's a good argument put forward and it's a negotiation where some form of concession is asked to be given, maybe that'll be one of the concessions that firefighters would do. But it should be the decision of the firefighters, not the decision of the Legislature to determine what their hours of work should be. That is not something that the government needs to be doing.

The kick in the pants on this whole section of hours of work is quite interesting. Under subsection (10) it says, "Despite subsections (1) to (9)" — (1) through (9) is the part where the government says what your hours of work should be as a firefighter — "the fire chief may call in off-duty firefighters if, as a result of a major emergency, the fire department needs the services of more firefighters than are on duty."

Listen, guys, what do you think firefighters have been doing for the last 100 years? When there's a fire, do they look at their clock and say: "Whoops, it's 8 o'clock. I've got to go home. End of my shift, guys. See you later." No, firefighters stay. They know when they're needed. They stay long after the hours of their regular shift, the shift they're supposed to be working. If there's a fire, they're not out there trying to punch a clock to get home. Firefighters say: "Hey, there's a fire. There are people in danger. We will be here. We will do what needs to be done in order to make sure that the people in that fire are taken out safely and that the fire is extinguished and the situation is stabilized."

Why does the government have to spell that out in legislation? I guess an argument that the Solicitor General will make is that we need something to clarify that the fire chief has that authority, and I guess I have a bit of sympathy. But the point I'm making is, the whole bill sort of smacks of you not recognizing what firefighters have done up to now.

The other part is, listen, in one part of the bill you're trying to tell firefighters when they can work, what they should be doing and how long they should be working

and what shifts they should be doing, but then you say, "When it doesn't suit the needs of management, management will have the right to make them work as long as they wish." I say again, leave that in the hands of individuals at the bargaining table. Firefighters are responsible people. They're not going to go out there trying to do something other than doing their jobs. That's what they're interested in doing, and quite frankly they would like you to leave them alone so they can do it.

Then under subsection 44(8) — this one really takes the cake — it reads, "The employment of a firefighter may be terminated without cause at any time during the first 12 months," unless an agreement otherwise specifies. What you're in effect doing here is you're saying, "There's a probation period of 12 months." You're not even saying that. If a person is under probation, working at a company, and the probation period is set at three months, the employer cannot fire the person unless he has cause.

You're writing two things inside this legislation. You're saying, number one, where there is no specified probation period because there's no collective agreement, there will be a probation period of 12 months. Well, that is, first of all, quite onerous. There is no situation that I know of in the industrial world in Ontario where workers have to undergo a probation of 12 months. Normally the probation is anywhere from three to, in some cases, six months, which is not the average. The average is three months and, in some cases, down as low as a month. So that's the first thing.

You're saying, "Firefighters, from here on in, whenever there's no union, we're going to have a 12-month probationary period." But then you're saying, "The management can fire the individual if they don't like them." It says here you can do it without cause. I read again, Solicitor General, it says, "The employment of a firefighter may be terminated without cause at any time during the first 12 months." That is not at all in keeping with what good employment relations are. You should only have the right to fire someone if you have cause, if the person has done something wrong and the employer can substantiate that, and employees have the right to defend themselves with the process of the grievance procedure or the process you've set out under this legislation.

I ask the minister to think on that and, with that in mind, I would ask for a 30-minute adjournment of the House.

The Acting Speaker: Mr Bisson has moved the adjournment of the House. Is it the pleasure of the House that motion carry?

All those in favour of the motion, please say "aye."

Those opposed, please say "nay."

In my opinion, the nays have it.

Call in the members; a 30-minute bell.

The division bells rang from 1746 to 1816.

The Deputy Speaker (Mr Gilles E. Morin): The member for Cochrane South has moved the adjournment of the House.

All those in favour of the motion will please rise and remain standing.

All those opposed will please rise and remain standing.

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 20; the nays are 65.

The Deputy Speaker: I declare the motion lost.

Interjections.

The Deputy Speaker: We will wait for a few minutes. Stop the clock.

The member for Cochrane North.

Mr Bisson: I hope the government has had the opportunity to think about some of the amendments that I hope they are going to bring forward with this particular piece of legislation. I've outlined in the 30 minutes I have that there are a number of changes that need to be done in this legislation for it to be acceptable to the people of Ontario. Specifically, I talked about the move on the part of the government under section 1 towards the privatization of fire departments and fire services. That is definitely a section of the act that we oppose, and we say the government should take that out altogether.

The other problem, under section 41, is the change in definition of "firefighter," which is going to lead to fire chiefs and municipalities having the right to hire less-qualified people to do the job of firefighters. We would ask that the government withdraw that particular section of the act.

We would also ask that the government withdraw section 52, which deals with the question of taking away from firefighters their right to negotiate what their hours of work should be at the bargaining table. I think it is wrong for the government to dictate what the hours should be. That should be left at the bargaining table.

The other part, obviously, is the whole part in section 42 of the act which deals with the question of the government taking away the right of firefighters to strike. Firefighters in Ontario have never gone on strike in the province, because they believe that firefighting is a professional responsibility that they have and have taken that very, very seriously.

I would just again remind the members of the opposite side, I would remind the government that there was a promise that was signed in ink by the pen of Mike Harris, by his own hand, that said, "No changes will be made under a Harris government until such time as your members have been thoroughly consulted, and we will insist that all changes be fully costed both from the point of view of workers as well as management."

As the member for Cochrane North and the member for Sault Ste Marie have said, "That was then, this is now." It's another huge flip-flop on the part of the government of Ontario, which said one thing to the firefighters prior to the election of 1995, said again the same thing during the election of 1995, signed it in the form of a promise to the firefighters of the province and, on the basis of that promise, some firefighters in the province voted for Conservative candidates — not in Cochrane South, but I can tell you they did it in other municipalities.

I say they are feeling very betrayed. They stood at the front of this Legislature, and I was there about a month ago, when firefighters came to me and said, "I voted for the Conservative candidate in my riding because they signed that promise, they said they wouldn't do what they're doing today."

Mr Gilles Pouliot (Lake Nipigon): Never again.

Mr Bisson: They have said, as the member for Lake Nipigon has said, "Never again will I vote for the Conservative candidate in my riding because they have broken a promise that they made to me as a firefighter when they said they were not going to make these kinds of changes," number one, and, number two, if they did anything, they would consult firefighters in the province, something that this government has not done.

I ask the government, again, to reflect on this and to make sure that it removes those sections of the act that were outlined so that the firefighters in our province can keep on doing the job they were paid to do.

The Deputy Speaker: Questions or comments?

Mr Clement: I thank the honourable member for his comments. It's unfortunate that we're using this time in some way, although it is the time of all members, to concentrate on the issue of the appropriate amount of consultation. All I can tell the honourable members is that, in my riding, I had two very successful meetings with the firefighters' president in my area, Don Roy, where we were able to get beyond some of the rhetoric that frequently transcends these debates and overpowers them and go through the act section by section.

I found it a very illuminating couple of sessions because we were able to find out, perhaps much to the surprise of both of us, that there are a number of items with which we had complete agreement, that there was a need for some changes to ensure that while fire suppression is a very important part of what this bill is all about, there's also fire education and fire prevention, which have been identified by the Solicitor General as being of paramount importance in terms of the regeneration of this particular piece of legislation.

There are other aspects of the bill, as I said earlier, where the firefighters agree that there have to be some changes: that automatic aid has to be a priority, that in order to ensure that we have a proper amount of fire prevention and fire suppression in our society, there has to be some consolidation that occurs. Firefighters agree with that. They want to have a place at the table to discuss the particular sections of the bill, and the honourable member is quite right about that. There will be a place for that.

The Solicitor General has mentioned that there will be a public opportunity to go through this bill, to improve it, to keep the essence of it, which is to ensure that our communities are safer when it comes to fire prevention, fire detection, fire suppression and fire education. At the same time there's an opportunity for all members of our society to have their opportunity to see that the best bill is brought forward, and I, for one, look forward to the opportunity.

Mr Wildman: In commenting on my friend the member for Cochrane South's remarks, I'd like to also compliment the member for Brampton South on his cravat.

I thought it was interesting what the member for Brampton South had to say in regard to my colleague's remarks. I understand that in a video prepared for the firefighters' conference held in April 1995 — just before the provincial election as a matter of fact — the member

for Nipissing had this to say about the Fire Departments Act:

"We have serious concerns about some of the changes that are being contemplated with respect to the Fire Departments Act. No changes will be made under a Harris government until such time as your members," meaning the firefighters, "have been thoroughly consulted, and we will insist that all changes be fully costed both from the point of view of workers as well as management."

The firefighters are still waiting to hear from the member for Nipissing and from the member for Leeds-Grenville. That commitment has not been met. Firefighters, as my friend the member for Cochrane South said, have been asking for public hearings and they should be given those public hearings because, as Bruce Carpenter, the president of the Provincial Federation of Ontario Fire Fighters said: "This bill jeopardizes the safety of both the public and our members. It will set the Ontario fire service back 75 years." That doesn't sound to me like the firefighters have had their concerns properly dealt with, when the president of one of their associations can make a statement like that. It's time they heard from the Premier of this province and the Solicitor General.

Mr Jim Flaherty (Durham Centre): I listened with interest to the speech by the member for Cochrane South. I noted of course that it was loud and fairly aggressive in its comments about the legislation; bellicose, I thought.

Mr Pouliot: Bombastic.

Mr Flaherty: Also bombastic, though I thank the member for Lake Nipigon for that. It was also orthodox. There was a time when the NDP was a party that advocated social change, and it's regrettable to see the reactionary nature of the speeches being made by members of that party in this House, the orthodoxy. Of course, it's easier to be orthodox in addressing an issue, to be ideological, because when one is orthodox one does not need to listen to the other side because one has a monopoly on the truth on any particular issue.

With respect to taking away rights, the right to strike, as has been noted in this House, is a right that had not been used by the firefighters because of the mandatory nature of arbitration, so it is a specious argument to hold out the taking away the right to strike as being significant at all in Ontario, because it is a right. As an emergency service, I am sure that the citizens of this province, that the citizens of Algoma-Manitoulin and of Cochrane South would be shocked to think that that sort of emergency service could be taken away from them, even if it is just a law of the province permitting that.

I have consulted with the firefighters of Whitby, and in Whitby also we have many firefighters who work not just for the Whitby fire department but for other fire departments, including the city of Toronto. I have consulted with them not only since the election but before the election, long before the election, and I have the benefit of their views. I'm pleased that the legislation is going to modernize some of the many acts that we have, which are really a hodgepodge of legislation.

Mr Bradley: I'm pleased that the member raised so many interesting issues in his speech, among them being

the abrogation of collective agreements potentially happening as a result of this bill. I know most people in this province believe that a collective agreement should be adhered to and that those which are long fought for should be kept in place.

Mr Pouliot: Be careful.

Mr Bradley: The member for Lake Nipigon says, "Be careful," because he may have been thinking of the social contract. That was in a different time and a different era, under different circumstances.

I want to say that I have not seen the firefighters of this province as exercised as I did when they were on the front lawn of the Ontario Legislature protesting this bill, and I, too heard Bruce Carpenter, who by the way is from St Catharines and is the president of the association, making those very points, as was Terry Colburn, who is the president of our local in St Catharines. Both were expressing great concern that there had not been what they called meaningful consultation, that they were listening to the fire chiefs and to other advocates of certain parts of this legislation but not listening to those on the front line, and that is the firefighters themselves, those who go into battle, those who carry out their responsibilities in a very dangerous manner because of the nature of the job. So I can certainly see their concern.

They were adamant there should be hearings across the province. I know the government didn't want to have hearings across the province for a prolonged period of time; they prefer to have a couple of days here in Toronto and then pass the legislation through. We in the two opposition parties have fought for that and I'm very pleased that that has been the case, and I know firefighters who placed a lot of faith in the word of the Premier were chanting something outside that rhymed with "fire".

Mr Bisson: To the members for St Catharines and Algoma, I would like to thank the members for their comments. I want to say to the people who are watching this debate at home, specifically the firefighters that I know are watching in the city of Timmins, as other firefighters across the province are watching, as you listen to the two Conservative members get up and

respond to the comments I made to the speech, I think you have lots to be worried about, because what the members from the Conservative side were saying was, "There's nothing wrong with taking away the rights that firefighters have enjoyed for a long time."

That signals to me that we have a problem, that although we will be going into public hearings with this bill, because the Solicitor General has indicated that we are doing so, I'm hearing from the back bench of the Conservative caucus coming to this House and saying: "Well, you know, those rights were never used so why should we even worry about taking away those rights? It's not a big deal."

It tells me, listen, if you're watching out there, if you're a firefighter and you're worried that you're going to be losing rights, you should be even more worried because it means that the backbenchers back there are ready to support the Solicitor General in whatever he does. I think it's going to be important for firefighters, I think it's going to be important for other people who care about this that they make sure they contact the backbench members of the government, that they go and speak to these people and try to point out to them that what they are doing is wrong.

I would say to the member for Brampton South, who was one of the authors of the Common Sense Revolution, you wondered why, over a period of 30 minutes, I decided to speak on a particular section of this bill. It is my right. I spoke specifically to the legislation that your Solicitor General has put before this House. The points that I spoke on were not being fabricated, they are what is printed in the bill, and I took the time to read the exact words that are in the bill, so I'm not making this stuff up, to the member for Brampton South.

It is your own Solicitor General who has made the rules of this legislation, it is his legislative counsel who have written this bill, and I only repeated what is inside this bill. I will be urging all members of the House to withdraw those sections of the bill that are negative to firefighters.

Report continues in volume B.

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Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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Lillian Ross, Bruce Smith
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Speaker
Honourable Chris Stockwell

Président
L'honorable Chris Stockwell

Clerk
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Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 9 December 1996

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 9 décembre 1996

Report continued from volume A.
1830

FIRE PROTECTION AND PREVENTION ACT, 1996 LOI DE 1996 SUR LA PRÉVENTION ET LA PROTECTION CONTRE L'INCENDIE

Continuation of debate on the motion for second reading of Bill 84, An Act to promote Fire Prevention and Public Safety in Ontario and to amend and repeal certain other Acts relating to Fire Services / Projet de loi 84, Loi visant à promouvoir la prévention des incendies et la sécurité publique en Ontario et modifiant ou abrogeant certaines autres lois relatives aux services de lutte contre les incendies.

The Deputy Speaker (Mr Gilles E. Morin): Further debate?

Mr Gerard Kennedy (York South): It's with some pleasure I get a chance to address this bill, which has raised concerns in the constituency of York South, the city of York, much of Metro and across Ontario.

We want to first acknowledge, however, because we think it is important for people who are watching this debate, that the government had the beginnings of something useful in terms of what it did, because since 1949 there haven't been changes to some of the major acts that constitute fire protection in this province.

However, at the same time as we look at the rationalization involved in this bill, we also look at it as an expression of an ongoing philosophy of this government to try and create division, to try and create problems in terms of the operation of public services in this province.

There is very little that explains that. There is very little that tells us why this government, in the context of trying to streamline fire services, wants to also create artificial conflict between those who manage the fire protection services we have and those who have to execute it. The only answer that makes sense comes from the other pieces of legislation that we've seen, which is an agenda that this government seems to have, to create strife, to try and get people pitted against each other.

We still haven't found anywhere in the discussion coming from the government side the rationalization for this bill. How much money will this government try and save? How much of the tax cut that it's going to provide to only a small percentage of Ontarians will come out of decreased fire safety?

I think many of the people out there who are used to taking governments even to a certain extent at their word look at the first three lines of this bill and marvel at it in terms of the titling of the legislation. This government has made, I think, probably one of its heightened accom-

plishments in its time in power, calling this "An Act to promote Fire Prevention and Public Safety in Ontario and to amend and repeal certain other Acts related to Fire Services," when in fact in this act, hidden away and submerged under other elements as has been commonly the practice, are elements to try and create a whole new scenario in terms of the profession of firefighters in this province.

Beyond that, we wonder too about the kind of ethicality, as we found in other bills, of some of the other provisions that we see. We have, for example, a fire marshal's office being confirmed that "may" — not "will" but "may" — monitor the standards of municipalities and may act upon them. I think people have every right to wonder, right from the beginning in subsection 2(7), whether this bill will actually provide for the essence of fire protection and fire safety when we have that discretionary word being used.

We also have to put this in the context of other bills that have tried to create centralized standards in this province. We have a government not committed to providing the resources so that the municipalities, the other bodies that have been created by this government at different times, do not have the ability to actually do what's being asked of them.

We look at the proposed things in terms of rent review where municipalities have been given powers but no money to carry it out. Here again, we have municipalities being mandated for the first time to carry out roles in terms of fire safety but no funds and certainly, when we look at the history of this government, very little likelihood of getting funds to be able to carry out that mandate, another onerous role being put on municipalities, and we have no idea whether or not this government intends to even in a small way live up to it.

We know already the sound of this government, that the way that it becomes associated with the public is the sound of phones ringing and ringing and ringing, whether it's the family support plan, whether it's consumer and commercial relations. Anyplace that this government is supposed to provide basic services to people it hasn't been happening.

I think the most disturbing thing about this bill and about what should have been a straightforward, goodwill kind of consolidation is whether this government can be trusted to carry out this kind of thing on something as serious as fire safety. Can this government actually put together the elements to try and make it work?

When we look at part IX of the bill, we certainly find within that the ingredients for not believing this government can carry it off. We see what the minister has provided to us is this message to firefighters, that somehow even though they wanted and were agreeable to

building in some form of management structure to updating, to making current some of the ways that fire departments could operate, instead they have something imposed on them.

We contrast what this bill has, which details down to the hours of work, the amount of rest period that is available to people who are firefighters in this province, yet at the same time we've seen other bills go through here of an omnibus nature simply giving the power to the minister. We wonder very precisely why this minister and this government want to put very particular strictures in place. Why are they so afraid to leave the hours of work as something that individual firefighters and unionized groups can bargain with their employers?

I guess what we see here is again the tipping of the scales that this government can't seem to resist, even on matters which we ought to be able to agree on both sides of this House are fundamentally about the public interest, something that should not be trifled with in the interests of an ideology.

We heard one of the members opposite talk about social change. I think the only social change we see here in terms of stripping away the rights of some of the workers is the kind of social change that happened in the 1880s and the 1890s and the development of labour legislation in the first place. This government has no forward thinking about how to actually make our society work better under some of the pressures it's under.

Rather than come forward with some kind of straight-forward provisions, if it wishes to save money in terms of fire protection, if it wants to pay for its tax cut this way, we have it being done through the back door. That raises apprehensions which could, I would agree, be even larger than what actually happens, but we don't know because this government won't talk straight; instead it hides behind nice words. It's not able to talk straight to its constituents and, most important, to the firefighters who are out there in the different protection forces we have in this province it's not able to listen.

That's the biggest problem that we suspect is going to be associated with this bill. There is not an ability demonstrated anywhere throughout the course of this government to listen to the concerns of people and to ameliorate bills. There have been hearings on rent control, discussion papers. There have been hearings on video lottery terminals, which have seen no changes, virtually none, made as a result of the depositions that have been made. I sat in those committees and heard government members reference that, saying these hearings were a waste of time. I beg to differ. I think there is a value in putting that out there in front of the public. Certainly I can understand the frustration on the part of that government member because this government gives little or no indication that it's listening.

I think in the instance of fire protection and fire safety, this is not something we should be fooling around with. When we look at, for example, the provocative inclusion of the first strike ban put on firefighters when there have been no strikes since 1949, since the earlier legislation, why this pre-emptive move? Why is it necessary to tell firefighters who have it in their own code of conduct that they don't want to strike that they're no longer going to

be able to legislatively? What can they expect coming from this government that's going to require the government to have that protection for fire services that they're not subject to the right to strike? What kind of things in its implementation does it mean for firefighters in this province?

We wonder if it's not waving this red flag as just one of its ways of creating the kind of division that it's done with other bills on the part of people in this province, whether it's been with school teachers talking about their right to strike, about day care workers, taking away the money that they have to live on, taking away some of the other rights of workers in the public service, why this government continually operates from this method of functioning.

Rather than looking at the hours of work with the people who should know, the people who are operating on a day-to-day basis who should have at least a point of view — yes, certainly their own personal interest but also the interest of the public at large. Let's let the public hear that debate. It's not going to take place in this House because the government has pre-empted most of that with the particular measure that's put in this legislation. We enjoin the government, to the degree that it wishes to be seen in good faith, to make sure those hearings are held around the province, that they are done with adequate time to hear from all the deputants. This is not something that we think, in the first time in the 45 or almost 50 years that we look at revising this legislation, should be shoved through.

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We've heard from the other side that somehow this party, which is only negative in terms of its outlook — is only able to take back, is only able to cut away, is unable to make a bill that's constructive — still sees itself as an agent for social change. It still sees itself somehow as taking apart government and does not have any idea how it goes back together. This is like a Meccano box without the instructions, when it comes to this government. We're worried about, when they pull the bolts out of fire safety in this province, who indeed is going to be able to put it back together. It doesn't seem to be this minister, who seems to brush off all the concerns that have been brought forward, talks blithely, as other ministers have before him, about consultation when there has been a very clear message from the firefighters in this province that could have been accommodated in this legislation but has been ignored, and that doesn't augur well for where we go from here.

We look at the easy termination provisions, the ability to bargain being constricted, and we wonder why the government felt it necessary to put in these bill specifics. People may recognize that this is the same government that, when it came to having its way, was able to put in measures for video lottery terminals and just said, "All we want to do is declare that video lottery terminals, heretofore known as slot machines, are going to be a legal and valid game," and that's it — no protections, nothing to protect people from having video gaming machines in every neighbourhood in the province, every bar, every restaurant, none of that provided for, not after hearings on the part of the United Church, on the part of addiction resource foundations and so on.

This example is something that firefighters, and every single person in this province who is dependent on fire protection, need to be aware of, that this is a government that acts according to its method. It has put in these specific measures because it means for this to be an unfair bill. It cannot abide, with part IX, being able to create what would be a level playing field, the ability, as the firefighters propose, to negotiate some form of management structure that would update this. Instead it has taken a hard line, as has been its consistent position, to bring about an unfair balance towards limiting the rights of those firefighters.

It is a year and a half now that this government has been in power, as of yesterday, and I think something people are looking for from this government is: What are the signs of this government being able to grow into its role? People understood that it came in with a document that I think they now refer to more commonly as the Comic Book Revolution. They know it wasn't well planned, they know this government doesn't have the basis to back it up, and certainly the postponement of the financial statement shows the numbers don't add up there, but I think people are willing to concede that to this government.

Can they still assume the responsibility of government in some way that gives people some confidence? As people look at that one-and-a-half-year mark they're starting to recognize that the hallmarks of this government are not being able to listen and not being able to follow through on things in a way that is established as the public interest, that there's a too narrow frame of reference, and that explains a lot. There's a government here that is unable to take into account both sides of an equation. I think people realize that in the times we're under, we don't have the kind of employment growth that we ought to be seeing, that's been seen in other provinces.

We don't have the kinds of results in this province in terms of jobs, which was happening in terms of economic growth, we have to admit for our compatriots here, much stronger economic growth than in the two years preceding this government's year and a half in power. People are starting to ask the question, does this government take the time, does it have the resources, does it indeed have the people and the patience and the ability to govern by listening to people and by coming up with real solutions?

I think when people look at this bill they really bring themselves into that question. We have fire protection services now that are of relatively high quality and available, in the opinion of most municipalities, at a reasonable cost. So what we have here, the unstated objective, the one the minister is not addressing, is that the reason this bill is being put forward is simply to take some money out of fire protection services.

People have to think long and hard, where is that money going to come from? Will it come from putting part-time workers in place, people who are not versed in the conditions and what needs to exist in terms of proper fire suppression and response to those kinds of emergencies? Are they talking about consolidating fire departments? They're talking about privatizing fire departments. The problem with a government that won't table its real agenda is that all these things become possibilities.

We've seen in the past, in other bills that have been brought forward, and particularly — this is an appropriate time to remark on it — a year ago in the existence of Bill 26, where this government sought to have all kinds of powers in an arbitrary fashion, a government that didn't know what it wanted, that just knew it wanted to be able to do it in case it came into its head, a government that simply showed in that bill its corporatist outlook that has a certain kind of disdain for real democracy when it wants to accrue powers it cannot explain, arbitrary powers which included, and of course poignant today, the power to find out the billings of individual doctors to individual patients.

We find that Bill 26, the ability to have those provisions, shows some of the tenor of this government. People want to know at this one-and-a-half-year mark, can this government learn? Can this government actually appreciate, as it is in power, the ability to fulfil the needs of its citizens? When we look at the existence of cooperative fire services, we have what isn't a very top-heavy structure, a chief and a deputy chief, and we have the firefighters there, but we have a very collegial and cooperative service. You have a continuity there. You have a rate of excellence that is quantifiable in terms of responses to emergencies.

Participation in the community: I can reflect on my own experience in terms of the utilization of fire departments, firefighters, often on their own time, being able to provide support to food banks across the province in a way that connects with the public. That is about a form of government the other side of the House, the government side, has a very hard time in understanding: that firefighters and fire services could actually be a valued part of the community, not just costs to be dealt with in an arbitrary fashion such as this; that those kinds of firefighters, for example, hold food drives and accept bags of food, and at the same time introduce the children coming with their families into the concept of fire safety, into the whole idea of firefighters and public service. That's something this government doesn't really reflect because it's prepared, obviously, with this bill and the reaction that's coming forward from firefighters, to disrupt the arrangements we've got.

All over this province people are starting to wake up to the idea that this might actually be a centrepiece of this government's agenda: to disrupt existing relationships even when they're working, even when we're getting reasonable-quality services, even when the costs are not out of line, certainly aren't responsible for the deficit. We see instead this government acting because of some level of fiscal desperation, a level of ideological drivenness we haven't seen for some time that they would like to call progress, but the only linear place we're going in terms of direction is backwards.

We're talking about a government that wants to bring us back to a time that really never existed when we have people now who are intelligent and educated and can judge for themselves. They don't need to have an élitist group of people deciding what's good for them, and that's what this bill would have the government do on behalf of firefighters: It would see us making decisions for firefighters about their communities; it would disre-

gard those firefighters' own sense of their abilities; it would invite firefighters to be seen as self-interested people rather than people really charged with fire safety.

The unfortunate part of these features of the bill is that it really goes against the grain of what it could have accomplished. The bill talks intelligently about a fire safety council. It talks well about the ability to put that as part and parcel of what we ought to have happening in every community. It doesn't say how we're going to do it, it doesn't say how we're going to pay for it, but that, at least, could have been what we were talking about.

It also includes other provisions. There are many opinions that say it leaves open the possibility of privatizing our fire services. I think this government is going to learn, as it has learned with Highway 407, the lesson it decided not to have after 18 months of sitting on a report about safety from the OPP: having to put off 407, only after it was raised in this House, for an independent safety audit.

The question is raised time and time again: In the name of this tax cut, what are you willing to compromise? How much of the future are you prepared to give away so you can reward some people financially? That becomes a question for this government at its year-and-a-half juncture. How much of that do you want to take away from fire protection and fire safety in this province? That is a question we have in front of us today.

How much arbitrariness and how much lack of responsibility and accountability are we going to have on the part of this government, unwilling to stand up and tell us how much money they want to have municipalities take out of fire protection services? We haven't been told any other reason why this bill is coming forward at this time. We've seen discussion, but in the course of the agenda this government has before it, we've seen no rationale in terms of why this bill at this time, if not for that reason.

When we look at points of references in terms of AMO and in terms of fire chiefs we understand that they too have a part of the public interest, but we see the imbalance built into this bill that bespeaks a government that's unable to see a society that has diversity in it, unable to see the ability of firefighters to rise above how much they're paid and the hours they work, unable to accept on their behalf the kinds of people, like Thomas Jordan and Morgan Keiner and Ben Wittig and Joe Colligans and Victor Simkus, who are firefighters in the city of York, who have put in a tremendous amount of effort and have done that at some personal risk.

1850

When we talk about firefighters I think it's easy to play to some of the stereotypes we see likely arising from the other side of the House in terms of people who are there waiting for fires to happen, but we look at a very effective fire prevention function, a community function that happens in the actual fighting of fires, which is a job that requires this professionalized force, and not just a force that can see itself as professional but which can be motivated to do its job.

Over and over again we see a missing ingredient from this government's plans: how to deal with its human resources, how to actually get the people who work in this government to work together, to feel some sense of

pride in the public service. The reason it's hard for this government to do is that it feels no pride in public service. It doesn't see that as part of its equation. We see that again in this bill that wants to constrict firefighters in their relationship with their fire departments, that wants to treat them, in this case, very paternally and is not able to concede to them that they might actually have a legitimate voice in things like setting the hours, determining who is the management, especially when this is done after such a long period of time.

We have to demand of the other side: "What is broken about the current arrangements? What's not working? Why are you taking on firefighters on your long list of people whom you want to attack?" I think it plays to a certain kind of audience out there of people who are having difficulty. There's a degree of insecurity that lives out there that, I would suggest this government should mark well, has gotten worse since you've come into office. People can't depend on where their future is coming from. I think sooner or later even those people, in their own anxiety about where their job is going to come from, wondering about whether their kids will have jobs, whether they'll make it into university as costs go up, are going to wonder about you and your approach that keeps giving them only people to blame, not any reasonable answers, not any solutions but people to blame, in this case firefighters, people who are made to look as if they're somehow self-interested, that they need to have structures against striking even though they've never struck.

Not since 1949 have we seen firefighters walk off the job in this province, so deep is their commitment to public service. But we have a government willing to slap them in the face with this legislation and say, "Now it's time to ban you, now is the time to make sure you can never exercise that," and create all manner of anxiety, as they have on the part of the teachers and on the part of other public servants in this province about what would happen. There are people out there who, out of their anxiety and insecurity, would see this as a favourable thing, who would look at any part of society that's feeling more secure or that appears that way and would provide some support to the government and its views.

But why can't this government take on the really tough challenge? Why can't this government find a way to resolve these things rather than building them in as conflicts? I think that's the question: People want to know why this government wants to put itself forward not so much as a government that can make this society work but rather as a government that takes sides, that believes in "us and them" in an incessant series.

We have firefighters now on one side and fire chiefs on the other, we have the municipalities somewhere in between and we have a public out there wondering: "What is this government up to? Why does it feel it needs to act pre-emptively?" We look at the kind of cooperative outlook that has existed among firefighters and their communities and we wonder whether this is worth risking.

If this government won't at least put its cost savings on the table, if it won't tell us how much of the tax cut it wants to pay this way, why is it putting part IX into

this bill right now? What other things might we then, by logical implication, draw from this? What inferences about the lowering of standards in fire protection might this government have in mind?

We say on this side of the House that that's not our first look at this bill. We look and see some positive things that can be brought out of it, but we wonder. We're made to wonder, we're caused to have basis for that, because of the past history of this government, which has held hearings and not listened, on Highway 407 and the video lottery terminals, in a number of areas, hospital closings, seemingly prepared to compromise the public interest for a larger political goal.

The only goal that makes sense for any of this, and the reason it intrudes here, is a tax cut, which this government should be delaying, which it should be putting off, which it should be declaring that it is in the public interest not to see it happen at this time. There's a deficit and there are changes in public services that need to be given a reasonable amount of time to let them happen.

Instead we have this artificial, very phoney public display on the part of this government to fit everything into two and three years, hoping, and I think that hope becomes slimmer as more of these examples come forward, for re-election, in terms of a positive stance to be able to put on this government following those two or three years.

I think the government needs to be aware that when it comes to something like fire safety, the public doesn't want you fooling around. The public doesn't want you messing with the existing relationships unless you have something better to propose instead of just taking away rights from firefighters, limiting the hours they can work, limiting their ability to organize, making for whatever reason a clause that looks as if they could be terminated on seven days' notice. It is unclear whether or not there's a reference to the collective bargaining agreements that currently exist. Why deal in that kind of negativity with firefighters?

Is this government going to stand up and ascribe to firefighters certain problems in society? Is it going to be able to put them on the hook for other things the way they've done with other groups in society, or is this simply going to remain a private agenda of this government that it's not willing to put forward so that we can have a real, true public discussion?

When we look at the possibilities we wonder why the government brings forward this legislation at this time. We wonder why this government has put it on the agenda ahead of other things, why it's decided to go after firefighters just as they've gone after other public servants, unless this is simply part of a general will on the part of the government to see this disruption taking place in society. This government was elected quite knowingly on creating a sense in society that you're either part of "us" or part of "them," and I think this government is now trying again to give the public, the people of Ontario, fresh targets, people they can feel they're against.

The main thing the government I think hopes to accomplish by this is to distract people from the fact that they're not delivering on their jobs, for example, that through the course of this year they're over 80,000 jobs

short of where they said they would be by this time, that they simply are unable to deliver on the key promise that got them elected. Instead they're having to throw everything overboard, all manner of things: safety in terms of 407, very nearly; safety in terms of fire protection — we hope not, but the prospect looms with this bill. The ability to have any public moral boundaries in terms of gambling in this province went out the window with Bill 75. Those are the kinds of things this government is willing to throw overboard to float its ship, which really has only got a cargo for wealthy people in this province.

It's an unfortunate juxtaposing of people with means against those without. It's the kind of thing we don't need, and the reason we don't need it is that these bills are coming at a time when this province is at a critical juncture. We have changes taking place in the economy, not invented by this government, that are coming from globalization, from changes in technology, and there's no effort being made, none whatsoever on the part of this government, to deal with them. There's no adjustment, there's no sense of common purpose in terms of, how do we really expand people's individual freedom in this society? Do we do it by cutting them loose, do we do it by putting them on one side or another of a dividing line or do we do it by finding the means by which we can actually accomplish things that are in the common interest?

This government can't put one thing against that list of things being accomplished in the public interest as a result of its agenda in the past year and a half, and here we are again with a bill, in this case dealing with fire safety and fire prevention, potentially a bill that the government could claim as subscribing to and carrying out the public interest, in which the government could not resist bringing in measures that undermine the whole thrust of the bill in its apparently insatiable need to create division, to go after people who are the workers in this province, people with less power.

There's no question that those people, those numerous firefighters across the province, depend on this government to look after their interests as they depended on past governments, and for some undeclared reason the government has decided to tip that balance now. There are members opposite who would call that progress. I think there are many people in the public who would call that regression, who would call that going backwards, who would call that a government desperate to distract people from an agenda that simply isn't working.

There's very little in the Comic Book Revolution that is actually bringing security or safety or better wellbeing to the average person out there, and continually going after targets is not going to fool people. When we can't even deal with measures like fire protection and fire safety in a way that avoids this artificial division created in society, I think people have to wonder where this government's priorities are.

I think we have to wonder again when we saw the measures that were taken by somebody, regretfully — unable to get accountability in this House earlier today — when it comes to the medical billings that were abused. We find again there's a singling out of people. Speak out against this government and find yourself

slapped down. Dare to be a lawyer for a school that has a case against the government and you get a call from somebody in the government and you lose your job eventually. If you're in a position of trust in terms of working in the minister's office, we know from the earlier provisions in terms of a similar incident four and a half years ago that the only basis under which the billing of individual doctors could possibly be available in the minister's office is through the minister. We're left open to that question: Either the minister knew or somehow the ministry is so incompetent that this information got out some other way. This government would like us to believe otherwise, but we have a vindictive government prepared to be arbitrary, to take powers it doesn't need and run the gamut in pursuit of its own interests.

1900

This is a government willing to leave a video gambling bill with no protections for the public whatsoever because it suits its purpose, an omnibus bill that allows any measure of gambling to be set up that lawyers in this province, a law professor, would say is illegal because it doesn't exercise enough control. Yet we have a fire protection act that in the specific instance, the specific concern of this government about how to take away rights from firefighters, how to limit their ability to be effective, how to take away their confidence in terms of their ability, itemizes down to the hours of work, to when their shift changes can happen, to how much rest there is in between, to the kinds of maximum hours they can work, sets those things rather than leave it as it has worked for the past 45 years in negotiations between the departments and unions representing the firefighters.

We see here a very clear agenda on the part of the government that it would not like us to know about: It sets up straw people for people to be able to knock down; it creates conflict where it didn't need to exist. It is a perplexing yet very repetitive and now predictable part of this government's method of operating: to be able to find people it can engender some public sympathy against. We would ask you in this government to find a way, perhaps because it's fire safety, because it's a wider interest, to get around that method of operating, because people are looking to you for that.

The Acting Speaker (Mr Bert Johnson): Comments or questions?

Ms Frances Lankin (Beaches-Woodbine): I found the remarks of the member for York South interesting, particularly when he was reflecting just at the end of his remarks on the contrast in how the government approaches different pieces of legislation, for example — he made reference to this — the video lottery terminals legislation. Although opposition members pushed to try and have some controls put in the legislation so that we wouldn't have widespread proliferation, so we could have some protection in those areas around schools, for example, some pretty basic stuff, no, that was the kind of detail the government didn't want to get into.

Yet in this bill, which purports to be about fire protection and fire prevention, we have minutiae built in, things like the fact that firefighters will no longer be able to collectively bargain their hours of work. I don't understand why the government of Ontario would be interested

in writing legislation governing hours of work of firefighters. This is a matter they've always bargained collectively. You take it steps further and take away the right to strike, which they've never exercised. As professionals they believe they are an essential service; they've behaved in that way. You've extended and set in legislation a probationary period for this job. Where did these things come from? For an old union negotiator this is like a list of management demands that management puts on the table, and this government has become the management that's going to bargain, and instead of bargaining, it's just writing it into the legislation.

I don't understand why you would provoke that kind of confrontation, particularly with a group of people you committed to during the election campaign that you would consult extensively before you made any changes to this piece of legislation. That's a commitment you haven't lived up to. The nature of what you have included in this bill — the member for York South is right — is at a level of detail that is in great contrast to how you're proceeding with many other areas of large public policy concern. It's not understandable.

Mr E.J. Douglas Rollins (Quinte): I would like to stand up and say a couple things. I was sitting here listening to the member for York South. I believe there are three different groups of people involved in fire protection. There are our volunteers, and our management people, as far as our chiefs are concerned, and our full-time people. Two of those people are very much in favour of the piece of legislation that's come in. The volunteer people are very enthused by the way the changes have been made. The chiefs have already said in letters to the minister that they are accepting the conditions of change. That hasn't been in a long time.

A number of people out there agree with this. If you listened to the member for York South, he would lead you to believe that every fire department and every fire person in the whole province of Ontario was opposed to this. It's not true.

It's also a fact that he stood up and told us that the province of Ontario is way behind the rest of the place. I don't know what kind of newspapers he's been reading or the Fairyland he's been dreaming in, but we've had more jobs in Ontario, we've had a better economic turnaround in Ontario than any other province in Canada.

I don't know whether he got stuck too far at the food bank or just what is going on, but there's something wrong to think that those kinds of figures — that he should stand up and tell those kinds of things. It's about time that somebody stood up and said, "Look, sometimes along this line you should tell a little bit of the truth. You don't need to whitewash it so far the other side."

These people would stand there and tell you — they said 2,000 people on the fire. It's a funny thing when one member says there are 1,000 out there and another one 2,000. I think they need some glasses changed or something in accounting.

I think we've got a lot of support. Thank you very much.

Mr James J. Bradley (St Catharines): I have not heard of any firefighters who are in favour of this bill. I have heard of fire chiefs, in other words management,

who would be in favour of this. I have not heard of any firefighters who are in favour of this bill. That's the difference between them.

I heard the member make a disparaging remark about the food bank, and I find that most regrettable. I think what's most revealing is what happens at this time of the evening when members become less cautious, when the Premier and others are not here to watch them.

I would think the kind of person involved with assisting people who are less privileged, people who are often down on their luck, people who have had great difficulty, should not be criticized. I know that when the campaign was on that is what you were told to say because at that time you were directing your remarks at this particular candidate. It's rather revealing to hear what members of the Conservative government have to say about somebody who would take it upon himself to work with people who are less privileged, people who don't have good food.

Mr Jim Flaherty (Durham Centre): He was paid a salary. What is this "volunteer" stuff?

Mr Bradley: Those people wouldn't be at the Albany Club. That's what you have to remember. The people at the Albany Club do not go to the food bank, because they're eating their caviar and their steaks and their smoked salmon. They don't know, often, what it's like for people who have to demean themselves to line up at a food bank.

This is why I'm extremely surprised, though perhaps I shouldn't be, that a member of the Conservative government would make disparaging remarks about a member in this House who happened to have devoted his energies and time to assisting others in a food bank.

Mr Flaherty: Devoted for a cheque.

Mr Bud Wildman (Algoma): I wanted to congratulate the member for York South in raising the issues of concern to firefighters in this province. I must say, while we are from different political parties, I'm a little taken aback by the members across the aisle who seem to be critical of the member for York South because he got a paycheque for his previous job; I would think that most of the members opposite received paycheques for their previous jobs.

Mr Flaherty: We don't stand up and brag about it. We don't stand up and feel wonderful about it either.

Mr Wildman: You don't feel wonderful about your previous job?

Mr Flaherty: I don't stand up and gloat about it and say we're holier than thou.

Mr Wildman: Mr Speaker, there must be a reason why we changed the rules not to have sittings beyond 6. 1910

A member of the House, representing his constituents, comes before the House and raises very serious questions about legislation that purports to improve safety and security in the province, and the very people who are responsible for implementing those changes, for providing for the safety and security of people and property in this province, have raised serious, serious questions and are quite concerned. A member who is elected to represent his constituents would be derelict in his duty if he did not bring those concerns to the House. Frankly, from my point of view, it's most inappropriate that the government

members barrack him when he does that instead of listening to the concerns he raises and try to adapt and bring forward changes to the bill so we resolve the concerns, rather than simply throwing up a wall of indifference.

The Acting Speaker: The member for York South has two minutes to respond.

Mr Kennedy: It is with some surprise that we hear from the opposite side that they believe there is widespread support for this. We hope the members on the opposite side who attend the hearings will show a little bit more openness, because certainly that's not what we've heard across the province.

There is a need to give due regard to professional firefighters. Most of what we've brought up affects them. It's no surprise that there are chiefs and volunteer firefighters who are pleased with some parts of it. We're pleased with some parts of the bill. Unfortunately, there is no magnanimity on the other side in the sense of recognizing legitimate concerns and how that links to an overall distrust in this government that exists. When we look at some of the things, for example, the provisions for private firms to be able to become involved with the safety council, we see no limitations there. It speaks of a real lack of understanding of the community.

We would really recommend that the member for Quinte have a look at his own community, where the Belleville food bank, the Gleaners, have had a more than 200% increase, the largest in the province. They're not happy with the employment creation record in your hometown, member.

When we look at how a community operates, it's important that we respect the fact that there needs to be regard for the public service. The public service of the safety council should also be protected, because it bespeaks a need to make sure that there's not rampant commercialization, that there isn't imbalance built into this bill, and it's again the question of balance. Despite how the members opposite are unable to recognize it, it's balance this bill needs.

It's balance this government lacks. It's balance this government is unable to provide, constitutionally, dispositionally unable to find within it the ability to concede that there may be some points on the other side worth listening to. It is this impaired function of the government, still evident — this is not June 9, 1995. There have been by-elections and other people out there have expressed their views, ladies and gentlemen opposite, and they need to appreciate that you have developed some capacity to listen. The firefighters of this province are looking for it and every single man, woman and child who needs fire protection wants to see that.

The Acting Speaker: Further debate?

Mr Wildman: I am pleased to participate in this debate. I note that members of my caucus have rushed to listen to what I have to say; they've been waiting all day with bated breath for me to intervene in this debate.

I want to say, in a serious vein, that I am sincerely concerned about the members of the government party's attitude towards the public service generally. They seem to denigrate anything that is in the public sector as sort of the opposite side of the coin to everything being wonder-

ful as long as it's in the private sector. We've seen this in their attitudes towards the civil service and we've seen it in their attitudes towards the broader public sector: the desire to make it possible for the private sector to become more involved, to provide services that up till now in a British parliamentary democracy we have expected would be provided by the community collectively, by the public sector. The suggestion by the Conservatives has been that, obviously, anything done by the private sector is of necessity more efficient than the public sector.

And so we see in this bill the attempt to allow for private firms to become involved in areas that up till now we've assumed should be in the public sector. I don't know what leads this government to come to these kinds of conclusions other than, I suppose, a right-wing ideology that has blinders and makes it impossible for the members of the government party to recognize when there are certain areas of activity that should be taking place in the public sector, that we as members of the public, as citizens of this province, should join collectively together as a community to provide, instead of saying: "We are going to contract this out. We're going to downsize the numbers of people in the public sector and allow private, for-profit firms to become involved." I don't quite understand that.

I also don't understand why it is that the government seems to take the view that if anyone joins together, if any group joins together collectively to work for their rights, particularly if that group is a labour union or a couple of labour unions, somehow those people are a "special interest group" that the government shouldn't be concerned about, that the government shouldn't pay any attention to.

I don't suppose the members of the Conservative Party would suggest that the fire chiefs of the province are some sort of special interest group, that they shouldn't be responded to or listened to, yet they take that attitude towards the Ontario Professional Fire Fighters Association and the Provincial Federation of Ontario Fire Fighters. Surely any responsible government should be listening to both the fire chiefs and the people who are on the front line delivering the service, who risk their lives to protect our lives and property. How is it that this government says, "Bruce Carpenter or Jim Lee are union bosses," as I suppose they'd refer to them, "so therefore they should not be listened to," forgetting or ignoring the fact that these people were elected by their peers democratically to put forward their views and to represent their interests? To have a government say: "We don't agree with you, and anyway you're just interested in protecting your members; you're not interested in the welfare of the community" is an insult to those professional firefighters who put their lives on the line to protect us in serious emergencies.

But it seems that's the way government views this. A responsible government should be responding to the concerns of the fire chiefs, who I understand are having a meeting or a reception downstairs this evening. They should be consulting with the fire chiefs because they are the people who are involved in management of the fire services of the province and they have a great deal to contribute to the reform of the system. But they should

also be listening to the people who work for the fire chiefs and to the people who represent those front-line firefighters in the province.

The professional firefighters' associations believe and have stated publicly that they haven't been sincerely consulted and they're concerned about the fact that they've had very little input into Bill 84. The Fire Departments Act review committee never discussed many of the items contained in Bill 84 with those associations. Yet we have the Solicitor General earlier in the debate getting up and saying he had consulted and he wanted to consult and he intended to consult with the firefighters. Well, there's a contradiction here. How is it that the leadership of their associations can say they haven't been consulted and the Solicitor General says: "Yes, of course, we did consult with them. I'm always pleased to talk to them"?

We've also got a number of other processes involved here that affect this legislation, affect firefighting in the province. We've had the Crombie committee, the so-called Who Does What or, as I like to call it, the "who does what to whom for how long for how much" committee. The firefighters weren't consulted by that committee either. If we significantly restructure municipal services in the province, surely that panel should have been talking both to the fire chiefs and to the front-line workers, the people who put their lives on the line to protect us and our properties in this province from the devastation of fire.

1920

I'm not sure why the government is saying that it has made efforts to consult when you have Jim Lee, the president of the Ontario Professional Fire Fighters Association, stating, "The price of the so-called cost-cutting measures contained in this bill may be measured in human lives and higher insurance rates for our citizens." It is very concerning to me to have a professional firefighter make that kind of statement. I would be interested to hear what the fire chiefs' response is to that concern, and I hope to be able to discuss that with them, but it does worry me. It should worry any responsible member of this assembly to have a professional firefighter representing a significant number of the firefighters in this province make such a statement about a piece of legislation that we're debating in the House.

I understand that association, along with the Provincial Federation of Ontario Fire Fighters, represents about 9,000 full-time professional firefighters in the province. This is not just some small malcontent group. This is a significant number of the people who are responsible for protecting us and our properties from fire, who are responsible for preventing fire and suppressing fires when they occur.

One of the things that has led many of the firefighters to be very angry about this bill is that it contains within it changes to collective bargaining processes that affect them and their conditions of work. One of the things the bill does is set out for proper hours of work matters that have been negotiated over the years by firefighters and the organizations representing them. We have now a piece of legislation that comes forward and says, "We're going to arbitrarily change the hours of work and it's not

going to be subject to those kinds of negotiations that it has been in the past.”

Why is that? Why is it that the Solicitor General believes it's necessary to do that? Is he suggesting, as many firefighters believe, that they are not responsible and that they have negotiated agreements that are improper, inadequate and threaten the safety of the people in this province? If he does believe that, he should come out and say it clearly. He hasn't explained why the provincial government believes that it, through this legislation, should be setting the hours of work for firefighters.

Also what is particularly concerning to me, when one considers the numbers of chemicals that often can be found in fires and the dangers that are involved with the combustible chemicals and hazardous substances that firefighters are finding more and more common in fighting fires, is that this bill will allow for the replacement of full-time firefighters with part-timers. I suppose you could argue that part-timers might be just as well trained. I frankly doubt that, but I suppose it's conceivable that they might be just as well trained.

What is the real reason for this? What is the suggestion here? Why are we suggesting that we would replace full-time professional firefighters with part-time employees? Why would we give municipalities and fire departments that flexibility which has been touted by the fire chiefs and by the Solicitor General? What is the reason? It seems to me that it's simply cost cutting. It must be. The idea is that this is a way to save money for the rate-payers. But I wonder if the property taxpayers understand that in order to save money, to cut costs from fire departments, we are replacing full-time firefighters with part-timers and that the next time there's an emergency in their neighbourhood it might not be the full-time professional firefighters who are there to fight that fire. I wonder if they know that. I wonder if that has been properly explained to them. If it had been, I wonder if they would be in support of this kind of measure. I doubt it.

This bill in that sense reflects the Harris government's real agenda, and that agenda is to force down wages for workers, to limit collective bargaining rights and to harm unions. That's a general approach of the government. In specifics it's aimed directly at firefighters.

I said earlier this evening that the firefighters' associations don't believe that they've been consulted on this legislation that changes their collective bargaining rights; in fact, they believe they've been insulted. The reason for that is that one of the provisions of this bill requires that the right to withdraw services collectively in a dispute — that is, the right to strike — will be removed, even though firefighters have never exercised that right because they believe that their services are essential to the safety and security of the people of Ontario and the communities they serve.

The consumer advocate from the United States, Ralph Nader, was recently in Canada, in Vancouver, and he said that he was puzzled because it seems to have become a national pastime from sea to sea for politicians to fix things that aren't broken. I mean, what is broken? If this right has never been exercised, why must it be removed?

Interjections.

Mr Wildman: All it means is, as my friends say, they don't trust firefighters. How is it that we don't have the trust in these professional people who hold in some cases, in emergencies, our very lives in the balance, that we don't trust them to be responsible?

Hon Charles Harnick (Attorney General, minister responsible for native affairs): Look at the job you did on auto insurance.

Mr Wildman: I see the Attorney General doesn't take this very seriously. I wonder why he would not want to ensure that the firefighters of this province knew, beyond a shadow of a doubt, that they enjoyed the trust of this government and the trust of the people of this province. I trust them. Where I live we have volunteer fire departments right across my constituency, very small communities, a lot of volunteers who join together to get training. They go out and they work hard and they do this because collectively they know that they must work as a community to protect one another. In the neighbouring urban community they have a professional fire brigade, a group of people who make their living as firefighters to protect the properties and lives in that community, and everyone I know holds those people in very high respect, high regard. Yet this message in this bill is that somehow we don't trust them to be responsible. I find this very disturbing.

There are a number of interpretations of what the bill might mean in terms of labour relations, but there's no question that the changes in this bill are going to mean that labour relations, negotiations, collective bargaining between firefighters associations and management will become more and more adversarial as a result of this legislation, because when management asks for flexibility, that usually is a euphemism for downsizing, changes that will make it more difficult for workers to exercise their rights, and workers react against that and their organizations react against that, and that's unfortunate. In firefighting particularly, and I might say also in policing and health care, we obviously want to have understanding, we don't want adversarial situations to occur, because it's not good for the overall service.

1930

The definition of an employer invites the privatization of fire departments. I don't know why we'd be suggesting it here. Everything this government tends to do seems to be following the United States, Reaganomics, the Reagan approach to the way things have been done south of the border, despite the fact that that's been discredited and twice now rejected by the American electorate. But the fact is this government is continuing to follow the Reagan, if not the Thatcher, approach to government. Privatization, in my view, puts at risk firefighting and emergency services right across the board. It threatens the system that has been developed over the years and has made it possible for us to ensure that emergencies are responded to quickly, effectively and efficiently by the public fire services we have. Why change it?

Nobody is arguing that we shouldn't be revamping the bill, that we shouldn't be getting rid of archaic provisions that no longer make sense. What we are saying is that the firefighters themselves, their organizations, as well as the fire chiefs and the municipalities and whoever else is

involved should be able to have input and should have had input, proper input, into the drafting of this legislation.

To have the Solicitor General stand before us and say, "Other governments have already consulted — the New Democrats consulted, the Liberals consulted and the Bill Davis Tories consulted — so there's no need for this government to consult prior to introducing the legislation," is just ridiculous. It's one thing, and it's important, to consult about the principles and the ideas of change, but it's another thing to actually consult about a specific draft piece of legislation.

It is incumbent upon any government that brings forward new legislation that makes the basic changes we're talking about in this legislation, Bill 84, to go to the people directly involved, particularly those people who are going to be directly responsible for implementing the changes, and ask them, "What do you think? Do you have any concerns?" and then, when they find out they have concerns, to respond to those concerns and to make changes. Yet this government says, "No, no, no need for us to consult; there was all sorts of consultation before." You shouldn't reject what was done before; you should build on it. But in actually drafting legislation, the government should be taking it out to the people involved and saying, "How can we make this better?"

It's obvious that firefighters should be able to negotiate their hours of work. No government should be making a one-size-fits-all situation. And, where possible, we shouldn't be depending on part-timers where we've developed professional firefighting organizations with full-time people who know what they're doing, are well-trained and will be able to respond to emergencies in an expeditious, efficient and thorough manner.

I'm concerned that this government seems to consider any changes they bring forward as sacrosanct, that they can't be changed, and if anybody objects to them, somehow those people are special interests who are only interested in the status quo. That seems to be the position taken by members of the government bench: that if you're not with the program, if you're not revolutionary in your approach — in their rather odd definition of "revolutionary" — then you're just for the status quo and you're against any kind of change. Well, that really is not to listen to what people think.

People in Ontario are not opposed to change. People in Ontario are willing to adapt to changing circumstances. The firefighters of Ontario are prepared to work with the government, to work with management, to work with the chiefs, to work with the municipalities to bring forward legislation that gets rid of outmoded, duplicating approaches, but which also responds to their specific concerns and does not diminish their collective bargaining rights.

Firefighters in this province and I think right across Canada and across North America are a responsible group of people. They are a group of people who should be listened to by a responsible government. They're not a group of people who should be ignored. They're not a group of people who should be run roughshod over in making changes. If they have serious concerns, those concerns must be responded to.

We run the risk not only of an adversarial situation developing but, along with that, a serious problem in morale. All of us — members of the public, members of this assembly, members of the government, municipal leaders, the fire chiefs, the leaders of the professional firefighters themselves — must be concerned about morale. If we have a serious morale problem among our professional firefighters in this province, what is that going to mean for their effectiveness? What is that going to mean for their ability to respond to the emergencies we need them for? I think the government should think about that seriously. I'm not optimistic, though.

In my experience since June 1995 I've seen a government that doesn't want to listen to people who have different views, that doesn't want to respond. I must say, this is the first time in 21 years of serving in this assembly that I've seen a government like this.

I've served under a number of premiers: I served under Bill Davis, I served under David Peterson, I served under Bob Rae and now under Mike Harris. All of those premiers and their governments, except for the latter, attempted to build consensus, attempted to listen to the concerns of the people of the province, the very diverse views of people from different walks of life, different levels of society, and to work out some sort of agreement where the majority could accept the direction of the government before they acted — but not this government.

This government says, "This is what we're going to do. This is what we said we're going to do. We don't believe we need to have any further consultation because we know the answer. We're right. Don't confuse us with facts," and then it just proceeds. Frankly, that's not good politics. I suppose there are people on the other side of the House who believe it is, but I don't think it is good politics.

Ms Marilyn Churley (Riverdale): Bill Murdoch agrees.

Mr Wildman: Well, I have the member for Grey-Owen Sound on my side; maybe I'd better rethink my position.

But I really do mean this seriously. I don't understand, politically, why the government wants to act this way. I understand their desire to be decisive and to make important changes and moves, but in being decisive one also has to look at all of the implications and ramifications of measures and actions, because if one doesn't consider all of those, one could be decisive in error and make serious mistakes and in the long run regret the changes made.

1940

There are changes in this bill that are supportable and important to do, but I also think it would be most unfortunate if the government does not hear the concerns of the professional firefighters. We are all dependent on them; our families are all dependent on them; our communities are all dependent on them. They have important things to say about their job, about the prevention and suppression of fires in Ontario. They have important things to say about their working conditions. We ignore them at our own peril and at the peril of our communities.

I hope the Solicitor General listens to this debate seriously. I hope he considers the concerns being raised by the minority in this debate, because they're being raised on the behalf of the majority of the firefighters in Ontario. They aren't raised lightly; they're raised because we believe the firefighters should be listened to, and if they're not, we're concerned about morale and the changes in the collective bargaining relationship between them and management that will affect the overall effectiveness of firefighting organizations in the province.

I would hope and expect that the chiefs would agree with that statement, even though they may not agree with some of the positions taken by the organizations that represent professional firefighters. I hope the government will rethink this and that those provisions in this legislation that have raised the hackles of the professional firefighters will be changed. Mark my words, if they aren't changed, we will all lose, not just the firefighters but all of us: the professional firefighting organizations, the municipalities they serve, the communities across Ontario, the neighbourhoods where we live. Our families, ourselves and our homes will all suffer or potentially could suffer.

We do not want the morale of the firefighters to be harmed. We want them listened to, we want them responded to, and I plead with the government to listen, not to just move ahead and ignore the concerns that are being raised.

The Acting Speaker: Questions and comments?

Mr Gilles Bisson (Cochrane South): I enjoyed listening to the comments of our House leader, Mr Wildman, the member for Algoma. He brings to light a number of issues that were touched on by other members of the House, namely myself, a little while ago. Where we have concern is that the government is going with this legislation, quite frankly, in the wrong direction. There are a number of changes proposed in this legislation that are, in our view, draconian and not necessary, that in the end do not do anything to promote good fire services. In fact, they're going to go in the opposite direction.

Why is the government, through this legislation, taking away the right to strike? We have fire chiefs here in the government gallery today, and I ask them directly. Firefighters in your employ have not struck. It is not an issue. Why is the government raising it, other than to say to firefighters, "We don't trust that you will continue to do what you've done for the last 50 years," which is to seek an agreement at the bargaining table?

To the fire chiefs here now, why is it that you need to have the right, sirs, and why is it that the councils need to have the right to determine the hours of work when it comes to what's been negotiated in collective agreements? If fire chiefs or if municipalities have problems with the hours of work now, there's a process: It's through collective bargaining, at the bargaining table, that the employer is able to bring those particular issues to the table and to try to make amendments to suit their own needs by the process of negotiation.

I guess what the government is doing here is that it is continuing with a tactic it has followed since being elected, which is systematically going in and taking away the rights of workers at every opportunity they get. If

they make a change to any act, they look at that act and say: "How can we take out a right of a worker? How can we deny the rights of employees?"

The government is wrong on this one. Fire service people are professionals who don't need to be dictated to by this government as to how they should be negotiating their collective agreements.

Mr Richard Patten (Ottawa Centre): I'm pleased to comment on the presentation by the member for Algoma. I thought he gave a very balanced analysis of the bill. He acknowledged the need for some changes that have not been made in numerous years — several decades, to be exact — but he also raised a number of important questions that I haven't heard answered on the government side. I'd like to highlight some of those.

One point he made was in terms of the legislation being so specific that it enters into the domain of what heretofore has traditionally been the basis of negotiations in terms of working conditions and labour arrangements. One must wonder why the province would choose to intervene and begin to micromanage, as some may say, at such a definitive level. Of course, we know that it is intended to provide the flexibility for the fire departments related to their municipalities to save money because those municipalities are going to get less money in the final analysis.

The message from the firefighters, as we have heard them, is that they feel insulted. I think they feel somewhat threatened, I think they feel there are doors open that will undercut the possibility to continue as a full-time profession for many of them and I think they feel that they have not been recognized for the professionals they are. Because of that, that will cause some difficulty in the labour environment among the firefighters and their dealings with municipalities.

Mr David Christopherson (Hamilton Centre): I appreciate the opportunity to comment on the remarks of my colleague the member for Algoma. I will have an opportunity to expand on a number of the concerns that I have about this a little later this evening, but I want to focus just for the two minutes that I have on the issue of consultation.

I've just arrived at the House from a speaking engagement. I understand that the current Solicitor General, in his opening remarks, talked about the fact — he's in the House now, so if I have it wrong, I'd like him to clarify it for me — that all the consultation that needed to be done had been done beforehand by other governments. I gather he means specifically ours and during my tenure in that post, and if that's the suggestion —

Hon Robert W. Runciman (Solicitor General and Minister of Correctional Services): I didn't say that.

Mr Christopherson: I hear him saying no. Then I would appreciate him talking to me after I'm finished here so that I can understand exactly what you did say, because I do know the issue of consultation and lack thereof is one of the key things that has firefighters so absolutely outraged at this time. It wasn't that long ago when we had hundreds — in fact, thousands — of firefighters on the front lawn protesting the fact that you were introducing Bill 84 in the way you did, with so little consultation. As we know, firefighters, like police officers

and other emergency service personnel in this province, don't take those kinds of actions lightly or easily.

The fact of the matter is that they had a very clear commitment from this government, one that said very specifically — and it's on a videotape to be seen — that this government would do nothing that affected firefighters without consulting with them very clearly. You didn't do that in this case, and to suggest somehow that this has already been done undermines the very reasons why it's taken so long to bring about new legislation, and I hope to entertain that debate later on.

Hon Marilyn Mushinski (Minister of Citizenship, Culture and Recreation): Did you consult on the social contract?

Mr Christopherson: I hope the minister who's yapping now is here when I make those comments, because I was there, Minister; you weren't.

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The Acting Speaker: The member for Algoma has two minutes to respond.

Hon Ms Mushinski: You didn't consult on the social contract, did you?

Mr Wildman: Some might say that perhaps there was too much, but that's another matter.

I want to thank my friends for their comments. I appreciate the remarks of the members for Ottawa Centre, Cochrane South and Hamilton Centre.

I would just return to the remarks I made at the beginning of my intervention: Many of us as children learn to admire the people who provide for public safety in our communities. We look up to policemen, firemen and people like that as people whom we would like to emulate, and many of us as children have thought about becoming policemen or firemen when we grow up.

I don't know what's happened in terms of our recognition of the importance of those kinds of public services and the people who provide them. It has come to be fashionable in neo-conservative Ontario and other parts of North America to consider anyone who is in the public sector to be somehow a drain on the system rather than someone who is providing essential services that all of us depend upon and that all of us should be prepared to assist in making possible.

The profession of a fireman is a noble profession, a dangerous profession, one where people can lose their lives in attempting to save ours or to prevent damage to our properties. Those kinds of people deserve to be listened to and understood. This government should be listening to them.

The Acting Speaker: Further debate?

Mr Joseph N. Tascona (Simcoe Centre): I rise today in support of Bill 84. The bill ensures public safety in a number of ways, including clarifying the role of the province and municipalities in delivering fire services. It also clarifies and shifts the focus of fire protection by making fire prevention and public education by municipalities mandatory. It also establishes a public fire safety council to enhance private sector participation. It creates more management positions, consistent with the Labour Relations Act, tailored to address the immediate management requirements of large fire departments.

I come from a riding where it's set up on a county basis, but it has split cities with respect to Barrie, Innisfil, Bradford and West Gwillimbury, where there's a large city with a large firefighting service and also smaller municipalities that have volunteers and also part-time fire services. The bill addresses the municipal responsibility that we'd like to see focused.

Municipal responsibility is to deliver the fire services. I'd like to quote, from the Barrie Advance, October 23, 1996, what the chief of the Barrie fire department thinks about the new bill. He has been a firefighter in the ranks and now is a chief, and I think his comments bear noting:

"I like the flexibility it allows."...

"He also liked the emphasis on education, public safety and prevention and bringing together other interests, including business and the public, which is something fire services have been pushing for years.

"I can't see too many major changes that will affect us."

That's a very experienced firefighter from both the ranks of the union and the ranks of management.

Municipal responsibility to deliver fire services also addresses the labour relations issues. Certainly no one would argue with the fact that police are very important to public safety, and they don't have the right to strike. Certainly with firefighters they're equally as important to public safety, so the issue becomes whether they should have the right to strike also. That strike measure has been used very prudently by the firefighter services, but I would state that they are equally as important as police and that a right to strike is not in the public interest. I have met with firefighters in my riding and I know the government has been listening. We discussed it through other bills when we met with firefighters during Bill 26 and also, in dealing with this provision, in terms of discussion. So the government has been listening, the Solicitor General has been listening, and I believe the government will continue to listen because no one is underestimating the value of firefighters in terms of their role.

The issue here is, who is responsible for providing those fire services? It's the municipality, with the support of the provincial government. I say this bill is balanced, it's long overdue, and I think it will bring what it is intended to bring, promoting fire prevention and public safety by its passage.

The Acting Speaker: Comments or questions?

Mr Bisson: I listened intently to the long, long speech from the Conservative member that went on for probably around five minutes. I was hoping you'd take a little bit more time because there are more issues that you could have touched on in that bill that I would have been interested in hearing.

But on the particular issue, he says the logic is that we should take away the right of firefighters to strike on the basis that police officers don't have the right to strike, and because police officers are an essential service and they are responsible individuals, the same should hold true for firefighters. Well, I don't agree with that. I agree only on the point that firefighters and police officers are an essential service. I agree they're both responsible individuals. But I think you're forgetting the fact, I would

say to the member opposite, that firefighters in this province have taken their responsibility very seriously. They have not struck and don't intend to strike, but what they're really opposed to is this whole notion that the government is going to tell them what to do, that the government is going to come in and is going to dictate, by way of this legislation, what their rights are.

The government is moving on more issues than just the right to strike. That is only one of them. There are many other issues that firefighters are upset about. I would have been really interested to hear what the firefighters who met with you in your constituency had to say, because I can tell you what they said in mine. They were worried about the government's intention, through this legislation, to give the power to municipal councils and fire chiefs to determine what the hours of work are, to take that out of the collective agreement. A lot of people may not recognize it, but firefighters over the years have negotiated into their collective agreements what the hours of work should be. The government is going to be changing all of that and giving powers to municipalities and to the fire chiefs in this province to take that out of their collective agreement.

You're going to be allowing firefighters to be fired without cause if they are in the employ of the fire department for less than 12 months. I ask the fire chiefs that are here: Do you think that's right? Do you think you should have the right as a fire chief to fire somebody without cause? I don't believe that's good labour relations. I think that's wrong and I'd be interested to see what the member has to say.

Mr Patten: I likewise listened to the comments from the member for Simcoe Centre. I was hoping he might elaborate somewhat on some of his points. I likewise would have been interested to hear what he received in terms of feedback from the firefighters in Simcoe Centre and the surrounding areas. I'm sure most of the firefighters met with their MPPs. I can almost guarantee they at least requested meetings. Whether they actually sat down, I'm not sure. But I know this: They are highly concerned.

As I mentioned a little earlier, many of them feel threatened, many of them feel insulted, many of them feel that indeed they're not trusted. You know, we tend to be very legalistic, especially in this place dominated by lawyers, where we have to dot the i's and cross the t's, to put our finger in everyone else's business very often. Rather than support them to work out their relationships, particularly when something is working relatively well, why would you mess up something or intervene in something when the historical fact speaks for itself? It's worked relatively well. Unless, of course, you know there's a new day coming, and it is.

What I think is the new day coming — I'm almost sure of it — is that municipalities are going to get less money. They're going to be looking for ways to cut. They have to look at the services they run, and one of the services is of course firefighting. The chiefs are going to look for and be supporting ways in which they'll have maximum flexibility in order to respond to the financial pressures that will come from their municipalities. That's understandable, but the front-line people who go into houses and risk their lives are the firefighters, and they're

the ones that I believe are feeling at this point insulted and non-trusted and non-respected by this government. I think that's a shame.

The Acting Speaker: Comments or questions? The member for Simcoe Centre has two minutes to respond.
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Mr Tascona: The member for Cochrane South and the member for Ottawa Centre certainly would agree with me that the objective of the government, whether it's provincial or municipal, is to provide the best fire protection and prevention possible. I don't think that's an issue.

With respect to how that service is provided, it's obvious that firefighters play a very important role. What I heard from them is that they're certainly interested. They're not insulted; they don't feel that they're not trusted. They have some legitimate issues they want to raise and discuss with respect to labour relations matters. Certainly they are being listened to. The fact of the matter is that you have definitions under the act, for example, for a full-time firefighter, when you have smaller municipalities up north and in my area that don't always employ full-time firefighters. They have volunteer firefighters or they may be looking to have part-time firefighters. That's the flexibility the act looks to provide.

When we talk about the police's essential nature to public safety, you can't distinguish that from the firefighters' essential nature to public safety. When you look at collective bargaining, obviously the police are far more restricted in what they can bargain, if you look at the Police Services Act, compared to the firefighters. The firefighters as a group have voiced some concerns, and when you put it into a balance in terms of what the objective is, I'm certain those concerns will be addressed in due course. But there are some legitimate concerns about: What does this mean? What does that mean? Certainly that's the process we're going through here today. If we focused on that rather than one group being insulted, I think we'll get to the solution that we should be getting at.

ROYAL ASSENT

SANCTION ROYALE

The Acting Speaker (Mr Bert Johnson): I beg to inform the House that His Honour the Lieutenant Governor has been pleased to assent to certain bills in his chambers.

Senior Clerk Assistant and Clerk of Journals (Mr Alex D. McFedries): The following are the titles of the bills to which His Honour has assented:

Bill 81, An Act to reduce the number of members of the Legislative Assembly by making the number and boundaries of provincial electoral districts identical to those of their federal counterparts and to make consequential amendments to statutes concerning electoral representation / *Projet de loi 81, Loi visant à réduire le nombre des députés à l'Assemblée législative en rendant identiques le nombre et les limites des circonscriptions électorales provinciales et fédérales et à apporter des modifications corrélatives à des lois concernant la représentation électorale*

Bill 93, An Act to amend certain statutes administered by the Minister of Finance to promote good management of the Province's finances, to implement certain provisions of the 1996 Budget and to implement other aspects of the Government's agenda and to amend the MPPs Pension Act, 1996 / *Projet de loi 93, Loi visant à modifier des lois dont l'application relève du ministre des Finances, à favoriser la bonne gestion des finances de la province, à mettre en oeuvre des dispositions du budget de 1996 et d'autres éléments du programme du gouvernement et à modifier la Loi de 1996 sur le régime de retraite des députés.*

FIRE PROTECTION
AND PREVENTION ACT, 1996

LOI DE 1996 SUR LA PRÉVENTION
ET LA PROTECTION CONTRE L'INCENDIE
(continued)

The Acting Speaker (Mr Bert Johnson): Further debate?

Mr Bradley: Thank you for the opportunity to participate in the debate this evening. It was not necessarily anticipated that this bill would be before the House, but lots of things are happening these days that are not anticipated, so I will proceed with my remarks on this piece of legislation.

I look at legislation and try to do so in a fair way, and I say that there are parts of this act that are commendable and where you would see a consensus develop in this House. I think in normal circumstances, where there had been a consensus develop, we would see this legislation moving through the Legislature rather quickly and probably unanimously. But the government has decided to insert in its legislation certain clauses and certain provisions which have caused great consternation in the community out there and in particular among firefighters who are on the front line of the delivery of that essential service in our province.

I saw, as did a number of other members of the Liberal caucus, at the front of this Legislature not that long ago a couple of thousand firemen who had gathered on the front steps and out on to the field to express their concerns. Government members like to quarrel about the numbers. I suppose they could have brought 50,000 here on that particular day if you'd counted families and so on, but they were representatives; they had representatives from each of the communities and their fire departments. I know there was a large contingent from the city of St Catharines of those who were taking their own personal time to come over to the Legislature to express their views.

One of their main concerns at that time was that the government would not allow appropriate consultation and would not allow province-wide public hearings on this legislation, and I think they had some reason to be concerned. We all remember Bill 26, that huge omnibus bill that we in the opposition and many in the media referred to as the bully bill because of its strong provisions, because it was so comprehensive, because it concentrated so much of the power of the government in the hands of so few; that is, largely those who advise the

Premier from outside this Legislature, non-elected members, and those who are fortunate enough for some reason or other to be appointed to the provincial cabinet. That bill took away powers from members of the Legislature, individually elected members, the only people the population can get at at any particular time; in other words, we are essentially the only people who can be influenced by the arguments put forward by the constituents we represent.

I think there was some basis for that concern. It should be almost automatic, when a bill is somewhat contentious, as this piece of legislation is to a significant portion of our population, that such a bill receives, first of all, appropriate consultation before it is presented to the House, and I don't mean simply the ongoing consultation that goes on but, when it gets down to the specifics, consultation on the specifics of that legislation.

Second, I think the bill should receive public hearings across the province. Yes, we have hearings here in Metropolitan Toronto. It isn't always convenient and easy for those in other parts of the province to come to Metropolitan Toronto to make their representations. But the government made it sound as though it was doing a big favour to firefighters across this province by granting public hearings after the two opposition parties had insisted at House leaders' meetings that indeed there be full public hearings. In fact, I personally directed a letter to Mr Johnson, the Chair of Management Board and government House leader requesting — that's the word I want to use; I could say "demanding," but I would say "requesting" — that we have full public hearings, that we have them across the province, that we have them when the Legislature is not sitting.

This is going to be a bit tricky, because the government is trying to pull a fast one on the Legislature and on the people of this province. We fully agree and have suggested that the government come back in January and February, taking whatever time it needs to deal appropriately with legislation that has been before it in the autumn session. The government wants to have a spring session begin on January 13. The last I heard, January 13 was the winter, so it gives me a clear indication that the government either wants to postpone or severely restrict public hearings on various pieces of legislation. I know that's not something that catches a lot of attention in the news media when there are more important items that come before the news media, but that is a significant point: that the government wishes to commence a spring session of the Legislature, presumably sit for a few months and then have some hearings, rather abbreviated I would think, and then come back later on in the spring and complete the final stages of its legislation.

We think it's most appropriate to deal with the legislation that is now before the House and will be presented this week and that it start a new session after an intersession where hearings on such bills as Bill 84 can be held in various communities in our province.

That was one of the concerns firefighters had. Normally, one would ask, "Why would they be concerned?" I look at some of the instances we've seen with this government — not all, but some — where those hearings have either not been held at all, as in the case of Bill 7,

a very significant piece of labour legislation, or as with Bill 26, where the government had to be dragged kicking and screaming over the hot coals before it would have province-wide hearings, when in fact some extraordinary action had to be taken by the opposition in this House to compel the government to allow what the public was looking for, and that was input.

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You notice with that piece of legislation that eventually, despite the fact that the government thought it was a very good piece of legislation, there were dozens upon dozens of amendments presented by the government itself as well as by members of the opposition. That should have been a clear signal to the government of the need for extensive hearings in each of these cases.

What has concerned firefighters? A couple of sections of this legislation are of concern to firefighters, and one of those relates to the collective bargaining agreements they have and to their rights under that collective bargaining provision. Also, there was a concentration on the right to strike.

In many instances one can say that if a new government is elected and it does not believe in the right to strike and it wants to impose that in a piece of legislation, while we may not agree with it, that would be understandable. In this situation it is not, because firefighters across the province have said they do not choose to strike, and this is something that is admired by many people in our communities. They have said of their own volition, without any hand of government on their shoulders, that they will give up the right to strike in this province. In fact, I believe it's in the constitution provincially of at least one of the associations, and locally I've heard our firefighters talk about that. When Terry Colburn and Bob McLaren came to visit me at Queen's Park as representatives of the firefighters in St Catharines, they made that very clear: They had no intention of threatening to strike, they had no intention of striking. They simply felt insulted, I guess the word would be, by the fact that the government would include this provision when they had already given up the right to strike and they had no intention of striking in this province. They pointed out again, as Bruce Carpenter, the provincial president has, that provincially they do not seek that right to strike. So what you're doing is getting out a sledgehammer to kill the fly or to kill the mosquito, whatever it is you're going to kill, by putting this provision in.

Some of the other provisions are of some concern. These are professional firefighters, individuals who have had to go through a lot of training. Many of them nowadays, as they're joining the fire departments across this province, have gone to special schools or at least have taken special courses at certain educational institutions which have specifically equipped them for the purpose of firefighting. They have gone through some rigorous testing in terms of their physical ability to do the job. They have become aware of all the issues. You know, in years gone by we didn't have a knowledge of a lot of the chemicals we're dealing with; indeed, we didn't have a lot of these substances and chemicals before. Now firefighters have to be aware of all of them.

They walk into circumstances that are very difficult. I have seen them in action. Everybody likes to think it's somehow an easy job, that you can sit at the firehall and shine the firetruck or do the lawn or whatever you happen to do at the firehall. Well, it isn't that way, because when they have to go out and do the firefighting it becomes really difficult. I've heard people put forward that criticism, and I've pointed out to those individuals that when they have to go into a fire, when they have to go into an emergency circumstance, that is not an easy job.

Dial 911 and chances are you will get the fire department there first. If it's not specified what the specific problem is, you will find, because of their location, because of their training, because of their equipment, that firefighters are often the first people on the emergency scene. They face some difficult circumstances, I'll tell you. I wouldn't want to have to haul that huge hose up two and three and four floors through a smoke-filled building with the fire blazing all around, because it would —

Mr John Hastings (Etobicoke-Rexdale): It's good exercise.

Mr Bradley: Well, the member for Etobicoke-Rexdale says it's good exercise. It may be, except they're doing it in emergency circumstances, they're doing it when there's a fire blazing, they're doing it when there's heavy smoke and when one doesn't know what the results would be of the blending of certain chemicals when they're on fire; in other words, different substances used within buildings or chemicals stored at a building. Firefighters face the unknown in so many circumstances.

And of course firefighting isn't their only role, though it's their primary role. You get in the middle of winter, about January 25, with a howling wind and a blizzard and very cold conditions where the water coming out of the hose is freezing almost immediately, that is no fun. That's a difficult job. When you're facing a wall that you don't know whether it's going to fall down on top of you or not, that's a difficult job. When you're faced with very difficult decisions of having to go into a burning building in very dire circumstances with a bad fire and smoke just billowing because you know there is someone inside who has to be saved, you know the difficulty they face.

I remember in St Catharines we had another circumstance. There was a boy who had fallen into a drain, in a major storm, next to the Welland Canal. He had fallen into this drain, and the water was just pulsating coming from what you would call a 50-year storm, as they refer to them. This youngster had been swept into a culvert or swept into a pipe that was heading into the Welland Canal but had grabbed on just by his fingers on one part of it. Everybody thought the youngster was doomed, but members of the fire department were not prepared to give up. Instead, they went through these waters, they got down into the pipe and finally one person was able to discover this youngster inside this pipe and save his life. That firefighter, in an emergency circumstance, put himself at great risk. He had to have a lot of training. He wasn't a part-time person; he was a full-time firefighter who had a lot of experience, a lot of training, was in good physical condition. That is so much of the job.

They are concerned, understandably, when you talk about these changes. They're concerned when they learn that they cannot negotiate, as others negotiate, in their collective agreement for how long they will work, for instance. I can fully understand the concern they have.

In our community, too, members of the fire department are involved in various charitable and volunteer activities. Often the firefighters' union and the local of that union will sponsor some sports teams, or you will have them involved in going out to the schools and other organizations talking about fire prevention, which is another important aspect of their job; or, in our community, raising funds for our hospitals. If I got into that subject of hospitals — I would hope that the funds they have raised for the hospitals over the years will continue to be used in those hospitals. We have a concern in St Catharines that on Thursday morning of this week the local restructuring commission is going to be talking about closing hospitals because the provincial government has said it's giving them \$38 million less to operate in the Niagara region. Those firefighters are out raising funds for worthy projects in our community, and the thanks they get is found in part IX and it is found in other provisions of the bill.

I hope when this government goes across the province, when the legislative committee visits various communities, that we won't simply go through the motions of hearing these individuals but we'll listen carefully to their suggestions for changes to the legislation and make the modifications which would be acceptable to those who are objecting, first of all, and ultimately to the members of the opposition, who then might be in a position of offering some support to this piece of legislation.

2020

Part of it is motivated of course by cost saving, and the cost saving is motivated by the tax cut. I know you were wondering how I would fit the tax cut into this bill. I heard other members mention it, and it fits. The member for Etobicoke-Rexdale has been waiting all night for me to get to this and how it might be portrayed in Conrad Black's newspapers.

I was asking, why on earth would this government be annoying so many people over a piece of legislation of this kind? The reason is that of course they're losing all the money for the tax cut that's going to the richest people in this province. The richest people are getting the best benefit. I thought, what would Dominion Bond Rating Service have to say about this? They're a pretty conservative group. I would expect that they might endorse what a Conservative government said, but not so.

Mr Bisson: Tell us what they said, Jim.

Mr Bradley: The member for Cochrane South is eager to hear. Here's what they have to say about the tax cut that is motivating this bill: "The tax rate cut is the single largest challenge to the government's balanced budget objective. The 1996 budget estimates annual forgone revenue from full implementation of the provincial income tax rate cut at \$4.8 billion." That's almost \$5 billion.

"Dominion Bond Rating Service estimates that the equivalent of 88% of the increase in tax revenue resulting from any economic growth over the next three years will be required to finance the tax reduction, and the remain-

ing program spending cuts, \$6.1 billion, implied by comparing the final 1995-96 results to the 2000-01 forecast may be too low to balance the budget and complete the provincial income tax rate reduction."

That's rather damning evidence from the Dominion Bond Rating Service, certainly not a bastion of socialism. To be sure, you won't find any lefties in this group. They're pretty cautious, small-c conservative people and they're saying that you're going to give up almost \$5 billion in revenue, and we know who will get the most.

Interjections.

The Acting Speaker (Ms Marilyn Churley): The member for Durham East and the member for Durham Centre, come to order.

Mr Bradley: The bank presidents are applauding. The bank presidents are in full applause over this tax cut because they're going to get hundreds of thousands of dollars back. They're going to be delighted to get that money back. The very richest people think this is a great idea, except that people who are small-c conservative economists wonder what you're doing because they heard that the problem was the deficit and they all nodded. Mike Harris said, "The deficit is a problem." They said, "Yes, it is, Mr Harris, and if you're going to address it, we think that perhaps we could support you." Now they find out that you weren't interested in balancing the budget; instead you want to give a crackpot tax cut to the rich in this province, and you have to borrow to give it.

Interjection.

The Acting Speaker: Member for Brampton South, come to order.

Mr Bradley: Some of them said to me, "You know, if they're going to give a tax cut, why don't they wait till the budget is balanced?" I said, "That makes some sense." If you want to balance the budget first, you then give the tax cut. So you get out the credit card — apparently they're going to get out a credit card and borrow money to give us a tax cut. I don't know how that makes any sense. It's not small-l liberals, it's not socialists and it's not the people left of the socialists who are saying this. This is conservative economists.

They have something called — and it's in the economic textbooks for you — the balanced budget multiplier effect. When you cut taxes and you cut expenditures substantially at the same time, it has a contractionary effect on the economy — not an expansionary effect but a contractionary effect on the economy.

Mr Hastings: When did you become an economist?

The Acting Speaker: The member for Etobicoke-Rexdale, come to order.

Mr Bradley: I am wondering why this government would embark upon this course of action when every conservative economist I've talked to says it is crazy to invoke this tax scheme until you balance the budget. Some of them will say: "When you balance the budget, that's okay. We believe it's fine then." Not all of them; some of them will say that.

Mr Sean G. Conway (Renfrew North): What does Joe Kushner say?

Mr Bradley: Dr Joseph Kushner of Brock University, a leading conservative economist in our area, even moved a motion at city council. He's a conservative. I'll tell you, he doesn't want to spend money on anything.

Mr Conway: He makes Runciman look like Bob Rae.

Mr Bradley: I agree, he does make Bob Runciman look like Bob Rae; I mean the member from Prescott and Brockville and environs.

The Acting Speaker: Thank you. Do refer to members by their ridings, please.

Mr Bradley: The Solicitor General of the province. I always thought he was a fiscal conservative, but you've got to talk to Joe Kushner to find a fiscal conservative. He put the motion before city council that said, "Please, province, don't proceed with the tax cut if you're going to have to borrow the money." Members of council of all political stripes were there and debated it. The majority of council said, "You're absolutely right."

So we have the tax cut motivating this. I've pointed out what the Dominion Bond Rating Service has to say about it and I wonder why the government is proceeding with this.

There are a couple of things the government does when it invokes this tax cut. It has to find the money somewhere else, so it invokes huge cuts in expenditures in the public sector. Everybody expected that there were going to be some cuts. They did. No matter which of the three parties in this House was elected, they expected that governments were going to have to cut some expenditures. That was fine. They were quite okay about that. But what they're really concerned about is the degree of cuts. I would like to be standing at the door or I'd like to have a microphone in the Conservative caucus to hear —

Hon Ms Mushinski: Could you address the bill?

Mr Bradley: Oh, I'm being scolded by the long-serving member for Scarborough whatever to talk about the bill. I will listen to her and I'll come back to the legislation because I would not want to offend her sense of fairness in this House.

Mr Bisson: They're so knowledgeable on the rules of the House, eh, Jim?

Mr Bradley: I really appreciate that. I really appreciate that. Where was I in this anyway?

Mr Bisson: Tax cut.

Interjections.

Mr Bradley: I just wanted to see if you were listening.

The Acting Speaker: I'm sure the member for St Catharines is going to get back to the bill in question.

Mr Bradley: Absolutely. My friend the member Durham East wants me to talk about the fiscal policy of this government.

I was saying, wouldn't it be nice to listen to the Tory caucus as \$3 billion in new cuts are imposed in the province? This is after the provincial Treasurer, the Honourable Ernie Eves of Parry Sound, said after his budget: "No more cuts. It's all over." The message went out right across the province. All the speaking notes for the members of the government caucus — what do they call those, talking points? — went out for the government caucus and said, "We're not going to make any more cuts." That was at the same time they said: "We're not interested in putting video lottery terminals" — that's electronic slot machines — "in every bar, every restaurant, on every street, in every neighbourhood in Ontario. We're not interested in that. No, we don't want any of that. We don't want that tainted money."

Interjections.

The Acting Speaker: Member for St Catharines, take your seat just for a second. Would the member for St Catharines come back to the bill in question, please, and would the government members please come to order. Thank you. Continue, member for St Catharines.

2030

Mr Bradley: What I'm pointing out to members of this House, and I'm sure many of them know it, is that the motivation for so much of the legislation and the government policy is a bizarre fiscal policy for a Conservative government, because I always thought Conservative meant cautious. I always thought Conservatives were careful people, and I find out they're embarking upon a reckless tax scheme, a risky tax scheme which is going to cause great problems and which forces the government to come forward with legislation of this kind.

There are several provisions of this bill that I could talk about this evening that concern me, and I have mentioned some of them. But I want to say that overall what we are looking for is that you people pay some attention to the concerns that people have expressed. It wasn't only firefighters. I ran into a woman the other night who said to me, "You know, I was watching some of the debate in the House and someone make reference to fire safety in the province," or there was a question in the House, I guess it was. She was concerned that if the government passed this legislation, there would be less security in her neighbourhood in terms of the ability of firefighters to respond in an expeditious fashion and in a professional fashion to a crisis which might arise in this neighbourhood.

I explained to her that I had demanded of the government House leader that there be public hearings across the province and that I hoped she would send in her concerns to her local member of the Legislature as well as to other members, including the Solicitor General, who has carriage of this bill and is in the House this evening to listen to the very compelling arguments being made by members of the opposition for changes to this legislation. With some bills, like the VLT bill, the electronic slot machine bill, I've said you could withdraw the whole thing, because that was a real problem. With this bill, I'm not suggesting you withdraw the whole thing because I think a number of the provisions of this legislation are worthy of support and should be implemented.

What I'm calling for are changes to the bill. I'm calling for the government to withdraw part IX. I'm calling for the government to alter those provisions which are of great contention. If they were to do so, I think they would find the opposition applauding those changes, just as I applauded — I personally spoke to the Minister of Environment and Energy this afternoon and on the Twenty Valley Estates decision, which has been turned down by the government, I told him, and I'm prepared to say this publicly when it's the case: "You know, Mr Sterling" — I called him Norm because he's a friend of mine — "Minister, I am very pleased with the decision you've made. I think you've made the right decision." And you will find those of us in the opposition, who are fairminded people, will pay tribute to you and thank you and commend you and congratulate you when you make the right moves. So if you make the right changes to this

legislation, if you withdraw certain sections, I think you will find a warm round of applause from those of us in opposition for that action on your part.

The Acting Speaker: Questions or comments?

Mr Bisson: Always a pleasure to hear from the member for St Catharines, who speaks frequently in this House on many issues on behalf of his constituents. On this one he's hearing the same thing that people are telling me in the constituency of Cochrane South.

Mr Hastings: Must be an echo.

Mr Bisson: Yes, it is an echo, quite frankly, because the people in Cochrane South are saying the same things that the people are telling the member for St Catharines, which is, "Why is the government moving forward with this legislation regarding part IX?" Part IX is part of the legislation that takes away many of the rights that firefighters presently have in their collective agreements. As a matter of fact, I have in my desk here if I took them out somewhere in the neighbourhood of around 100 letters from the different people within the riding of Cochrane South who have written on me.

Interjection.

Mr Bisson: No, seriously, I have them. I was going to use them in my speech and I didn't get a chance to use them. Plus I've been lobbied by almost every firefighter within the community. With credit to the firefighters, it is not often as members of the Legislature that people come to you en masse and tell you they're displeased with something. Normally, if there's a problem you get one or two people from an association or a group that might phone you, might fax you, might drop you a letter or might even visit you, but almost every firefighter in the city of Timmins has contacted me on this personally or has called me by phone or has stopped me on the street. I've been asked to meet with them at the fire hall in different areas at least on two or three different occasions now, and I've received — I don't know the exact numbers but I would estimate somewhere around 100 letters that I've gotten from people within the riding of Cochrane South. So the people of Cochrane South have an awareness (a) that this is happening, and (b) that they're opposed. I would say the members opposite should have some heed to that.

There are aspects of this bill that make sense on the fire safety side. I know that firefighters support you on that one. But when it comes to part IX and part of section 2 of this bill, you have no support whatsoever within the firefighters' association community. You may have with fire chiefs and you certainly have with municipalities and their councils, but I can tell you that firefighters do not support this because they see this as an attack on their rights to bargain what is rightfully theirs at the bargaining table. Again, this government is showing its bias. You're pro management, anti union; pro big bosses, anti worker. Always the same.

Mr Flaherty: I listened with interest to the remarks of the member for St Catharines, particularly how he purported to relate the tax reductions for the taxpayers of Ontario that have been implemented by this government with this bill before the House, which deals with firefighters. Because he is, of course, a former minister in the Liberal government and a senior member of the front

bench of the government, one wonders what his party advocated in this regard when they were seeking the votes of the people of Ontario.

Just as the member for Cochrane South had a red folder, we have a red book that was published by this Liberal government that also dealt with the issue of tax cuts. Now, this is the credibility issue for the member in the front bench who tells us that tax cuts are a bad idea, tax cuts where the majority of the benefit of the tax cuts goes to families in Ontario earning less than \$60,000 a year, all of whom, I gather, the member for St Catharines thinks are rich in this province.

When the Liberal Party ran, of course, there was a different leader then. That was then and this is now. But that leader said, and I guess the member for St Catharines, being prominent in that party, would have had an important part in the drafting of this book — I'm sure he had a lot to do with the drafting. It said: Rising taxes kill jobs. A Liberal government will cut taxes by 5% during its first term.

That's what they said in this red book. The people themselves can judge, of course, the credibility of the comments of the member for St Catharines when he stands here and criticizes this government with respect to the tax reductions for the people of Ontario.

Mr Patten: First of all, I must acknowledge my colleague from St Catharines and what he addressed. He tried to put a human face on firefighters and what they face day in and day out, and where they risk their lives and in some cases give up their lives. But I would now like to address a comment made by the member for Durham Centre when he wanted to say, where were we?

He was right that we did say we would provide a 5% tax break, which is a far cry from the 30% rate of tax cut on the provincial level which added to the deficit about a \$5 billion figure. As the member for St Catharines rightly pointed out in his reference to the bond rating company and his quote there, this was the single largest challenge this government will face, which is what it is, and it motivates and drives almost everything and every piece of legislation. When you compare a 5% tax cut, which wasn't necessarily all income tax — it was taxes in other areas as well — and providing a balanced budget, it certainly is a far cry.

But I would like to go back to something that my colleague from St Catharines referred to, and that was the efforts of firefighters in the activities of the community. I would venture to say that we would be hard-pressed to find a group of professionals that devoted more time, devoted more commitment in a whole variety of ways, than firefighters. I know in the community where I come from in Ottawa, the Ottawa firefighters and Nepean firefighters are always helping out with the children's hospital. They're always helping out with schools. They're always helping out with amateur sport. They're highly regarded for that, and that's part of the esprit and sense of obligation of firefighters.

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Mr Tony Martin (Sault Ste Marie): I want to say how much I appreciate the points the member for St Catharines makes, particularly when he speaks about all this government is doing, the major ways it's cutting the

kinds of services and programs we've come to expect in this province, just to provide a tax break for the very rich among us.

Tonight we see in this bill a very clear attack on another group of very hardworking, dedicated, committed professional individuals in all of the communities we represent here: the firefighters. To suggest for a second that it's not an attack on firefighters is not to understand the bill and not to understand this government.

Underlying everything in this bill and behind the pages and verses of each section of this bill is this sense that somehow firefighters, like nurses and doctors and teachers and social workers, are fat cats making too much money and not working long enough hours. I would challenge any of you who support that attitude, who support that view of firefighters in this province, to spend a day or two at a fire station and to respond with those folks to the fires that come at them and the work that they do.

Mr Joseph Spina (Brampton North): Work a whole shift.

Mr Martin: Yes, work a whole shift with a firefighter. More of your colleagues should do that, Joe. Then they'd know they should not be doing this, that this attack on firefighters is uncalled for and absolutely unnecessary.

At the end of the day the people who are going to suffer are not the firefighters themselves — although they will — it's the people in our communities. It's the people who count on the service they provide and deliver, the people who know that if their house catches fire, there will be somebody there to respond to the call and put it out.

The Acting Speaker: The member for St Catharines has two minutes to respond.

Mr Bradley: Thank you to the members for Cochrane South, Durham Centre, Ottawa Centre and Sault Ste Marie for commenting on the bill. That's four people I've mentioned who have commented on this speech that I made.

I want to say to the member for Cochrane South that I am getting the same kind of letters he is. In fact, they are universally and entirely against this piece of legislation and they have at the minimum asked for meaningful public hearings, as the member for Sault Ste Marie has pointed out.

The member for Ottawa Centre obviously is getting the same message as well. He's finding this is a piece of legislation that has engendered considerable opposition in his own community.

When the member for Durham Centre got up, I thought he was going to get up to defend the Whitby hospital. I am very concerned about the future of the Whitby hospital.

Mr Flaherty: So am I.

Mr Bradley: I remember he made some solemn promises about that Whitby hospital and I wouldn't want to see him resign as a result of that.

Interjection.

Mr Bradley: I know I've hit a raw nerve over there because the member is interjecting several times, but I was really wondering if that was it, because it's hard to finance all of these things and still keep the Whitby

hospital open. That's what they're going to tell him. Others are going to have to make the sacrifice if his hospital stays open, I suppose. He dwelled on that. He dwelled on the government's fiscal policy.

All I want to indicate to government members and to the others who have commented is that I have received next to no comment on this bill that is favourable. In other words, I have not had an avalanche of letters coming in or calls at the constituency office and so on, even orchestrated by the government, in favour of this. The rank and file members of the firefighters' associations are the people who have expressed the concern, and I know they know of what they speak.

The Acting Speaker: Further debate?

Mr Martin: Here we are, a little bit of déjà vu all over again. A different night, but it's the same old stuff coming at us. This government is doing all in its power to download on municipalities, to diminish services, to take away from those who need them most, and as the member for St Catharines is so wont to say, to move a tax break over so that the rich and the famous can continue to do those things they love to do, most of them outside the province and outside the country.

Last week, on Wednesday night, I stood in this House and spoke to the gathered assembly about Bill 86 and the impact it would have on this wonderful province we call Ontario.

Mr Hastings: That you ruined; that you thoroughly ruined.

The Acting Speaker: The member for Etobicoke-Rexdale, come to order.

Mr Martin: I suggested at that time that there were good things in that bill, but as with every bill this government brings forward, in the middle of it, once you unwrap it and take away the fluff, there's a bullet. There's a bullet that's going to kill services, that's going to take away services, that's going to diminish the kinds of things we have learned collectively to provide for each other. In that instance, it was a piece around transportation and the amalgamation of transportation that they were trying to ram down our throat. They were trying to sneak in by way of the back door. Well, at the end of the day, in order to get that bill through, you had to remove that piece.

What is this about? What is everything that we've been talking about here for the last week or two about? It's about downsizing. It's about this government trying to manage a financial situation and putting it on the shoulders of somebody else. Why? So they can give their friends and rich supporters a tax break.

In order to reach their targets they have to do a number of things. One of those things — and that's what this bill tonight is about — is that they're going to download on municipalities. It's interesting, when you download on municipalities, municipalities have only a limited number of ways to respond and to deal with that. They either have to raise property taxes or they have to cut costs. I suggest to you they're going to do both, because they're going to have to reach their targets too. They've got responsibilities to the people they serve and they have services to deliver.

In this instance, we're talking tonight about a package of legislation that will impact directly on firefighters. We've seen over the last year and a half groups of people in this province systematically targeted by this government, painted as somehow overpaid, somehow not working hard enough and not working long enough hours for the money they make. They're trying to convince folks out there that this is in fact the truth so they can then justify taking money away from them. But they have to bring in legislation to support that. They have to bring in legislation to empower themselves and others to be able to do that, and that's really what this is about tonight.

It's interesting, because in the end you actually lose no matter how you look at this. If the province continues this vendetta of downloading on municipalities and continues to cut costs, that diminishes the amount of money, no matter how you cut it, going into municipalities to pay for services. The people who normally pay the property taxes this government is intent on increasing don't have the money to do that, so we get this spiral or snowball happening which at the end, if you follow this through, will show that we will all be losers and the system will be worse off.

The problem with everything this government does is that it's not well-planned-out. There's no real business plan that goes with it. It's introduced initiatives that will take care of a problem immediately, right now, but it does not talk about how that problem will play out, how that situation will play out, how that reality will play out as time goes on.

We have seen this government attack, in July 1995, the poorest citizens who live in all the communities we represent in this province. They took 22% out of the pockets of those who were of lowest income.

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Mr Bisson: No chi-ching.

Mr Martin: That's right, no chi-ching into the cash registers of the small businesses and grocery stores and malls of the communities we live in, which takes away from the ability of those business people to pay the kind of property tax that we know is going to accrue if we continue down this road.

Then we saw this government move to take away money and lay off people in a number of other sectors. The social services sector was next, education was hit, and now we're going through a major downsizing and restructuring in our health care system. All of this is to the same end, all of this is by way of wrestling with a problem this government has and continues to exacerbate and create all on its own, this terrible commitment it has made that it can't live up to, that it can't possibly make sense out of: the tax break it wants to give to its rich friends and benefactors.

Tonight we talk about a bill that's going to attack very directly firefighters in this province. How are they going to do that? They're going to do it in about probably three different ways. One we heard a little about the other morning in private members' hour when one of the members from across the way brought a bill to the House about volunteering, about making it easier for people in the province to volunteer. I have no problem with that; I

have no problem with volunteers. As a matter of fact, I do a lot of it myself and a lot of the work I did before I got to this job was supported by a very significant volunteer effort in my community.

I suggest to you that we can't take the services we've built up over the years to assist us in so many significant and important ways — like health care, like education, like some of the social services we deliver, and in this instance like firefighting — and turn it over to the volunteer sector. I know we have some wonderful volunteer fire departments in some smaller communities across this province and particularly in northern Ontario. They do a great job. They respond to crises and calls in very timely fashion and they do the job they're called on to do, and they spend a lot of time in training and in learning and they're committed to that effort.

But when you get into the larger centres — and trust me, this government is going to make sure that at the end of the day, when they're finished with the Crombie report and with the municipal restructuring they're on now, we will be left with fewer and fewer smaller entities, fewer and fewer of the smaller towns and villages and communities we've come to appreciate in this province and we'll have bigger amalgamated regional governments, whether that's in the Metro Toronto area, out in rural Ontario or in northern Ontario.

The volunteer fire department will become less and less viable, yet we have a government that's pushing us in that direction, pushing communities that will not be able to afford the services they need to deliver and that their constituents expect they will deliver because of the downloading that's going on by this government, because of the erosion of the tax base by reducing the number of people who live and work and earn their living in some of the communities that are out there and are going to be feeling the pinch in the not-too-distant future.

To suggest for a second that the answer to the delivery of services by volunteers, and in this particular instance firefighting services, is going to do the job is to not be seeing the real challenge in front of us, to not be responding to what this government is going to do by way of reorganizing and amalgamating, to not be responding to some of the very difficult challenges that face firefighting departments today in places like Metro and Sault Ste Marie and Sudbury and Timmins and North Bay, where we have ever more complicated living arrangements, apartment buildings where you need all kinds of different and expensive equipment.

How can anyone suggest that a volunteer fire department that buys a lot of its equipment by way of fund-raising is going to be able to provide that kind of service and fill the gap that's going to be left when municipalities decide to use this legislation they will be given by this government to turn their fire departments more and more into volunteer operations?

The second thing they're going to do — and this is where we have to be really honest, where this government needs to be more honest than it's been in terms of the change they're going to bring about re the employment standards and how we determine hours of work and overtime for firefighters. This government is saying that it feels that firefighters across this province, particularly

professional firefighters, who go to this business of putting out fires as a job, who have invested time and energy and resource over a number of years to become the best they can be, are somehow not working hard enough, that they're sitting around more than they're out putting out fires, and that it's less and less important to have them readily available when a fire actually happens so they can respond in the way other members in this place have told us this evening that they do. Firefighters are usually the first person to a scene of crisis.

If you're going to start messing around with their hours, if you're going to start rearranging a system that's been developed over a long number of years to make sure there are firefighters on duty when they're needed around the clock, particularly in the larger centres, where we get a fairly significant number of fires — I speak most particularly about northern Ontario in the winter months, when we have need of all kinds of vehicles to keep our homes and our buildings and places of work warm, and we end up having some pretty major fires happen from time to time. If we're going to start messing, by way of changes to employment standards, with the hours that firefighters are able to work, I think we set ourselves up for some difficult times.

The other thing that will happen by way of the change to employment standards is a reduction, ultimately, in the amount of money we pay firefighters. I'm one who is convinced that if you think something's valuable, if you think something's worthwhile, you pay people what they deserve. In this jurisdiction, we do that, traditionally, by way of collective bargaining; the employer and the employee reach agreement.

If we change the Employment Standards Act in the way we're suggesting in this bill, as this government has done in so many other instances where it concerns organized labour or the labour movement and the labour standards of this province, we tip the scale in favour of the employer more and more and we recognize the very valuable work these folks do less and less. That, in the end, I think will diminish the good service we now get and expect from our firefighting departments.

The other issue that's been raised here and that I'll only speak to very briefly is the issue of the right to strike. Others have said, and they're correct, that firefighters at the end of the day do not intend to strike. They know how valuable their service is, they know that what they offer is a critical service to a community and that it's not appropriate that they should be off the job and leave a community at risk, so they have themselves negotiated into agreements they've made with their employers and across this province that they won't strike. But the right to strike is inherent in any full-fledged, mature labour organization. The government says, "You know, our intention isn't to really impose anything re the question of striking or not striking." Then why don't we just leave well enough alone? This has worked for us up to now. It's something that the firefighters feel very strongly about and see as something that this government is using as a stick to put them into a position where perhaps, in an instance or a situation where the threat of withdrawing services might be necessary, that won't be there.

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This is particularly important when we look at the third piece of this attack on firefighters that is inherent in this piece of legislation and is the direction that this government obviously wants to go in, and that's the whole question of moving to privatizing. We know that the government is very active right now. They have a cabinet committee set up. They've appointed a junior minister to oversee the whole question of how we take services that are delivered by government in this province, that we've decided collectively over the years are best delivered by government in this province, and turn them over to the private sector. We shouldn't be surprised.

In relation to some comments I made in opening this speech, as I talked about what this government is about and what it wants to do and what it believes is in the best interests of this province, one of the things that it very definitely wants to do, and has indicated by some of the initiatives that it has taken so far, is that it believes government is bad and the private sector is good — black and white — that government is inefficient and too costly and the more you can turn over the delivery of government services to the private sector the better off we'll all be.

It shouldn't surprise you when you read this bill that the issue of privatizing firefighting services jumps out at you. It's one of the options that I believe this government wants to deliver by way of a tool to municipalities, which they're going to be downsizing and turning over more and more responsibility to, to use in order to find ways to create efficiencies and do things on the cheap and I believe in the end diminish the kind of service we've come to expect as citizens of this province.

If for a second perhaps you're doubting that this government is on the way to major downloading, to major offloading of what has traditionally been a provincial responsibility on to the shoulders of municipalities, doubt no longer. I would suggest that you take a peek for just a moment at the report that has just been delivered by the Who Does What committee, the Crombie committee. You can bet your bottom dollar that the government has had a huge hand in how these recommendations have come together and been formed and delivered.

These are some of the things that are said in that report which should suggest to you that what I have said is true and that in order to do what they propose to do by way of downloading on municipalities they're going to have to bring in the kind of legislation we see before us here today, which is one of the toolboxes municipalities need in order to deliver services, as I said, on the cheap and diminish the kind of service that all of us will get, and in this instance hammer big time the position of the firefighter in communities across this province.

Under the heading of "Efficiency," it says, "The structure should allow services to be delivered by the lowest level of government that has the capacity to do so effectively." In other words, the lowest level of government — municipalities — no matter how small they are, should be forced more and more to deliver services that this government wants to get out from under having to deliver. "It should also be more cost-effective than the current system." Where the province has not been able,

in any significant way, to find ways to deliver programs in a less costly fashion or in a more efficient fashion, this suggests that municipalities, in being handed this tremendous responsibility to deliver these services, will now find a way to do it in a more cost-effective fashion.

That's why I suggest that this government, as it has before, will continue to do this, because we'll see more legislation of this sort in the new year. It'll change the Employment Standards Act. It'll take away some of the traditional rights of organized labour in that effort. It will move more and more to volunteers delivering services, and we know what that means by way of quality of service. We also will see more and more of the services that government has traditionally delivered turned over to the private sector to be delivered by it.

Under the heading of "Northern Imperatives," it says here, "As the province withdraws from direct funding and program delivery and assigns greater autonomy to local governments, the question of future service delivery in the north is more acute than for anywhere else in Ontario."

That's why many of us in this caucus from northern Ontario are particularly incensed and concerned and disturbed by some of what we've seen come before this House over the last week and a half to two weeks as this government moves ever more aggressively to getting out of service delivery altogether and turning over the delivery of services lock, stock and barrel to municipalities and particularly to municipalities in the north where we don't have the same tax base and we have some particularly unique challenges to overcome if we're in fact going to deliver services at all.

It says here, "The question of future service delivery in the north is more acute than for anywhere else in Ontario as northern governance is the most sparse, fragmented and the most dependent on direct provincial support," which won't be there any more. Then it goes down a little further where it talks about a vision for the north and it says, "For the first time there would be a local governance structure of northern residents making their own decisions, capable of providing area-wide services with reduced provincial funding and with a democratic and representative decision-making body accountable to residents, not to the province." In other words, small communities in northern Ontario that are often separated by hundreds of miles and not the best of roads; with no air service any more because this government has taken away that service that was introduced by a previous Progressive Conservative government — emphasize "Progressive" — to put in place norOntair; and a diminishing of a number of hospitals that we have to service people in our areas. We're going to be asked now to do even more and to turn to our local tax base, which is small to begin with, to fund these things.

There you have it. That's what this government is doing. It's important that we take each one of the initiatives that comes before us in this House — tonight Bill 84; last week it was Bill 86. Each one of these bills has in it housekeeping items that make a lot of sense, but in a different context, in a context of a provincial government that really cares about delivering services, in the context of a government that's not hell-bent on taking

those hard-earned dollars and resources that we all contribute collectively to the wellbeing and running of this province and turning them over to its wealthy friends and benefactors by way of a tax break. To do that, you're going to do, as I've said before, a number of things.

Mr Marcel Beaubien (Lambton): Tony, tell me what these wealthy friends are all about.

Mr John Gerretsen (Kingston and The Islands): You're having an effect, Tony. They're waking up.

Mr Martin: They're waking up. Yes, they normally do when you touch the bone. When you touch a raw nerve with these guys, they start to chirp and yap across the way because they're feeling guilty, because I'm convinced, member for Kingston — and the Islands?

Mr Gerretsen: That's right. Don't forget the islands.

Mr Martin: Don't forget the islands. I'm convinced, member for Kingston and the Islands, that there are some members across the way, that there are some members in the Conservative Party, in this government, who really do care, who really have the best interests of their constituents at heart and who are very concerned about the impact that these initiatives are going to have on the taxpayers of their particular area.

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You know, if you don't pay for it here, you pay for it there, and if you don't pay for it in that way, you pay for it in another way, because if you privatize these services, ultimately in the end you'll pay more for them and you'll get less. Those are the principles of that kind of an operation. If you turn it over to the volunteer sector, you'll have fewer and fewer people working in your community, making a decent living, bringing in a decent paycheque and, by way of that, you'll have fewer and fewer people who will actually own homes and be out there paying taxes. All the way around, this stuff does not make any sense.

So what are we to say? What are we to do? How can we stop this thing? In this House we have limited options. We have a small battery of vehicles at our disposal to stop this government. Every now and again they trip over themselves. Today in the House we had the Minister of Health exposed for the bully that he is, but he's not different from many of the other ministers in this province who have proven themselves not to be above that kind of tactic in order to impose your agenda on the good people of this province.

We have a minister today who finds himself in hot water because he broke the law and shared with the public in a very untoward way information that he shouldn't have been sharing, and what does he do? Instead of facing the music and saying, "We're going to call a full inquiry and have this thing aired in a very public and honest and open way," we turn it over to the commissioner on freedom of information and privacy, who will do a review and a report, but it won't be the same as a public review.

This government continues down that road of foisting things on people, of intimidating people, of setting people against each other, of picking on those who are most vulnerable out there, who they know are not particularly politically the most favoured at the moment, and they say, "This is good stuff; this is the stuff that government

with integrity is made of." This is the government of integrity that in July 1995 took 22% away from the most vulnerable and marginalized and the poorest in our communities. I could hardly understand that when that happened that particular day. That was the first tactic by a group of bullies that just never ends.

This bill here tonight is another attack on a group of people who have served us well, who have invested in their ability to do a job, who go out there, sometimes above and beyond the call of duty, put their lives at risk and keep our communities safe. And what are we going to do? Well, we're going to toss them out there and we're going to turn this over to municipalities, and we're not sure what we're going to get in the end. Are we going to get these professional firefighting associations become volunteer operations? Are we going to turn it all over to the private sector? Whatever it is that we do, if we allow this to continue and we support this, we'll live to rue the day.

The Deputy Speaker: Questions or comments?

Mr Tony Clement (Brampton South): I'd like to thank the honourable member for Sault Ste Marie for his comments, although I hope he will not mind if I actually speak to the bill a little bit. We've had a lot of talk today about the firefighters' reaction to this bill, which is a very legitimate concern and one which we on the government side hope to resolve in the hearings that will take place. But one of the interesting themes of the bill that I think that is most refreshing to see is the emphasis on prevention. This is not a bill that says suppression is the key, that once the fire breaks out, that's when we spend all the resources, that's when we try to deal with a situation which in a lot of fires is quite frankly out of control and exposes men and women to risk, both the victims of the fire and the firefighters themselves.

In this bill, prevention is the key. It speaks to a number of coroners' juries that have occurred in Ontario that have said prevention of fires is where we can best save lives, not only of the victims but of the firefighters themselves, and in that respect I applaud this bill.

When I look at various newspaper clippings that say, "Hey, this is a bill that is not only trying to promote training for our firefighters but it is also trying to train our volunteers who might put themselves at risk in dangerous situations" — and the honourable member for Sault Ste Marie might want to read the Recorder and Times. I don't know whether he reads it or not but it certainly makes this point as well, that training the volunteers is where the bill can be of benefit in terms of saving lives, getting more, shall I say, trained volunteers who put themselves at risk day in and day out as volunteers in order to help their community. This will allow them to do their jobs better. I think the ultimate goal of us as legislators should be better safety in the community and better suppression of fires and prevention.

Mr Gerretsen: In just responding to something from the member who just spoke, it goes without saying that we're all in favour of prevention but that's not really what this bill is all about. As the member for Sault Ste Marie so adequately pointed out in the early part of his remarks, what this bill is really all about is the right to strike. The government wants to take away a right that

these people have currently that they haven't exercised since the 1940s or so. You say to yourself that here we have this large group of dedicated people who work for the benefit of all of us in Ontario to make sure that our communities are safe and free from any of the disasters that may happen to us in one way or another, and we are somehow purposely antagonizing them, by in effect telling them for the first time in legislation that they will not have the right to strike, even though the last strike that took place in I guess was some 50 years ago.

I should also say that this is not the first time this issue has been raised. This issue has been raised by successive governments. I can remember being part of a committee way back in the early 1980s that looked at this as well in my former life as a municipal councillor. At that point in time everybody, at the end of the exercise — the government, the municipalities, the fire chiefs, the associations and all the other groups that were involved in it — walked away from the exercise and said: "We do not have to deal with this. We do not have to purposely antagonize a group of people who have been very dedicated service people to the communities in Ontario. Why do we bother with this?" We walked away from it. There hasn't been a strike since, and now it's almost 15 years later when the same issue is being brought forward again basically to antagonize a group of people who are extremely dedicated to making sure that we are safe here in Ontario.

I say to the government, remove that section from this act and I am sure that a lot of the other concerns there may be about this act will disappear.

Mr Len Wood (Cochrane North): I want to congratulate the member for Sault Ste Marie, who in the last 30 minutes has covered a lot of area, but he's touched basically on the area that we had firefighters by the thousands out on the lawn. Their message was very clear: If you're going to bring in legislation, why not do a consultation? There was a consultation promised by Premier Mike Harris when he was in the third party status, out campaigning, and it was put on video that "Before we make any changes to the legislation involving the professional firefighters, we will go out and consult with the people."

They did not consult with the people. As a result, they had thousands of firefighters out on the front lawn saying: "We've never been interested in striking in Ontario. We have professional conduct. We are considered emergency service people. We've never struck and we have no intention of striking." Yet we see the Solicitor General bring in legislation just to antagonize the workers. This seems to be the policy that has developed over the last 18 months, that every particular group out there is a special interest group.

We see now that the Minister of Health today is on the attack on what he considers to be the top-billing doctor in the province. Now he says: "I only want a two-minute penalty. I'm only going to step aside temporarily while the commission on privacy investigates this." It's quite clear that the person attempted to break the law by digging out information on the doctors when they're in the middle of negotiations, to try to blackmail them or for whatever reason. He should be out of the game alto-

gether. He shouldn't be just stepping aside; he should have been fired by Mike Harris last week when this was exposed.

As to Bill 84, I want to congratulate the member for Sault Ste Marie for mentioning that this is basically another way of giving a tax break to the wealthiest people at the expense of the firemen.

2120

Mr Douglas B. Ford (Etobicoke-Humber): This is on Bill 84, pertaining to the Fire Protection and Prevention Act. The elimination of red tape: The legislation will streamline current legislation affecting fire protection in Ontario by consolidating nine separate statutes, thereby eliminating inconsistencies and duplications. This consolidation will provide a straightforward legislative framework for fire protection in Ontario. The new Fire Protection and Prevention Act will replace nine existing acts which deal with fire services in Ontario.

The new legislation will consolidate the body of the Fire Marshals Act, the Fire Departments Act, the Firefighters Protection Act, the Firefighters Exemption Act, the Accidental Fires Act and the Fire Accidents Act. The intent of the Hotel Fire Safety Act and the Lightning Rods Act will be incorporated into the fire code. The Egress from Public Buildings Act is obsolete and will be repealed.

Too much red tape in fire services legislation is best exemplified by the fact that we currently have an Accidental Fires Act and a Fire Accidents Act. Much of the existing legislation was drafted many years ago and contains language which is archaic and unclear. The wording of the new act will be updated and clarified. Many sections of the various existing acts overlap one another. A number of definitions are inconsistent. These inconsistencies and duplications will be remedied in the new act.

Since some of the legislation addresses issues that change over time, it makes more sense to have those provisions in regulation so they can be more easily updated. The new legislation will lead to increased consistency and collective bargaining across the broader public sector.

The Deputy Speaker: The member for Sault Ste Marie has two minutes to respond.

Mr Martin: I want to thank the members for Brampton South, Kingston and The Islands, Cochrane North and Etobicoke-Humber for participating in the debate tonight.

I suggest to the member for Brampton South that if you think for a second that you have discovered prevention, you're sadly mistaken. Firefighters in my community, when they're not out fighting fires, are out working in the community doing all kinds of stuff around the question of prevention and the promotion of safe homes. It's already happening. This bill isn't going to change that. This bill isn't going to do a whit to increase the amount of fire prevention that's going on out there.

What you're going to do is take away from the ability of firefighters to respond to fires, because they won't be there when we want them. It's been said over and over again by coroners after major fires that the number of firefighters on first response is a major element in how

effectively a situation is managed. You're going to diminish that. If people get hurt or somebody gets killed, it will be on your shoulders.

To the member for Etobicoke-Humber, to present the bill as if it is some kind of Christmas present to the people of Ontario — this bill should be called an act to download fire prevention and public safety to the communities and municipalities across this province and to diminish the ability of these communities to actually deliver that service.

What this government is going to do with all of this downloading — one week after another it's something else — is that you're going to make them broke. You're going to bankrupt those communities and you're going to force them into the amalgamations you want so that they get with the program.

The people out there are smarter than that and they know. Eventually, the picture will be painted and you'll get your due.

The Deputy Speaker: Further debate?

Mrs Lillian Ross (Hamilton West): I rise today in support of Bill 84, the Fire Protection and Prevention Act. This is the first time I rise without a prepared speech, so I hope the members will bear with me as I go through this. If I appear to be blathering on, as the opposition is prone to do, I hope to get through this very quickly.

This particular bill, the Fire Protection and Prevention Act, was formed by the Solicitor General to replace legislation that has not been updated in almost 50 years. We've heard from the opposition that there are some good points to this bill, but of course they'll oppose it. That doesn't surprise me, because I don't think we've put anything forward yet that they've voted for.

This bill does protect public safety and security. Bill 84 will provide a whole new framework for fire protection in Ontario which will improve public safety, streamline services and reduce costs. Municipalities across the province will ensure the best possible level of safety from fire in their municipalities.

I want to speak particularly to a couple of issues. One of them is education. In 1995, 142 people died in Ontario as a result of fire. Most fire deaths, as we all know, occur at home during the night. Many deaths occur where there's no smoke alarm available. We believe we must do the best we can to prevent fires from occurring in the first place, but when they do occur they must be detected as early as possible and people must know how to react when the smoke alarm sounds. This legislation will ensure that fire prevention and fire safety education are a priority in every corner of the province by making it a mandated fire service.

Recently, the Solicitor General was present when they handed out public fire safety awards to a number of young people. I just want to mention a couple. Two young people from Mallorytown were awarded fire safety awards when they stopped their mother from re-entering her burning home because of fire safety education they received at school. In another instance, an eight-year-old girl from Brampton helped her family to safety because she was taught fire safety skills at school and by her parents. That's what this bill is all about. It's about

preventing fires and fire injuries through mandatory public fire safety education. That's one of the key elements of this legislation and I'm pleased it's in that piece of legislation.

The other issue I want to speak on is the right to strike. We've heard that the firefighters have never gone on strike, and why are we telling them that now there's no possibility they can go on strike? I want to quote from the member for Algoma when he was up. He stated that firefighters provide an "essential service that all of us depend upon." He's absolutely right: They do provide a very essential service. No matter how remote the possibility that they might go on strike, I as an individual in this province don't want to see that happen. I want to make sure that firefighters remain an essential service and are there when we need them.

The member for Sault Ste Marie talked about his riding and what was happening in his riding. I want to quote for him from a Sault Star editorial. It says: "Firefighters in this province deserve the public support and applause for the responsibility they have demonstrated in the past in not withdrawing services as a weapon in a labour dispute. But the government is right to feel that it is best that this non-withdrawal of services be codified into law." You see, even in his area, in the Sault, the people there feel it's important that this essential service be protected.

Mr Conway: If Jim Bradley were here, he'd want me to ask, who owns that paper?

Mrs Ross: Well, I wouldn't be able to answer him.

Fire prevention is an essential service which should not be disrupted by the possibility of a strike. The key issue here that we must never forget is public safety. The public must be protected. We cannot take a chance, no matter how remote it is, on people's lives.

Another issue I want to speak on is management positions. Many of us in this House have had firefighters come to us and talk to us about this legislation and about what they are opposed to in the legislation. One of the pieces they're opposed to is the exclusion of some positions. They say it's open-ended, but when I read the bill, I see that it's only a specified number of management that will be excluded, and it depends on the size of the fire service. For example, if it's less than 25 firefighters or employees, then only two positions can be excluded from the bargaining unit. If it's 25 to 150 employees, then three positions can be excluded. It is specific with respect to the number of people who can be excluded from the bargaining unit. I think that's something that should be pointed out.

2130

Another issue they talked about is the hours of work. There's some concern about part IX of the bill. The only thing I can say with respect to that is that this is one reason, if people have concerns about the bill — the Solicitor General has been clear from the beginning that this bill would go out to public consultation so people can bring forward their concerns. This is one of those concerns that I'm sure the Solicitor General will hear about. He's going to listen to the input and, based on what he hears, of course he'll look at this legislation again. I want to make sure that people are aware that

public consultation will be taking place shortly after this second reading. Are we at second reading? Yes, I guess we are.

The next issue I want to talk about is that we hear from the opposition — it seems they're the only ones who care about public safety with respect to this legislation. That's not true. We care about public safety and we care about the people in Ontario. We want to make sure they're safe in their homes. Fire chiefs also care about public safety. They support this bill; they've said quite explicitly that they're in favour of this bill. They're not an exclusionary group that isn't trying to protect the public with respect to fire service. They're definitely concerned about what happens to the public and they want to make sure the fire services and the fire departments in their area are the best they possibly can be.

I want to read to you a quote from the Ontario Association of Fire Chiefs. It says:

"This is the largest demonstration of commitment to public fire safety in this province by a Solicitor General in more than 25 years. We thank him for his genuine interest and leadership in public safety. The Ontario Association of Fire Chiefs supports the shift of focus in the new legislation towards public safety and prevention. The flexibility in regards to organizational structure and service delivery will assist many fire chiefs in managing their responsibilities for public safety into the next century."

You see, it's not just the opposition that cares about public safety; it's this government, it's the fire chiefs, it's the municipalities across this province. We all care and we all want to ensure that the public is protected.

Another issue I want to talk about is consultation. We keep hearing that there's been no consultation, that the minister has conducted consultation with only one group and not listened to the others. Well, I want to give a bit of a history lesson here. Fire services reform has been occurring for almost 30 years. A round began in 1989 when the Liberal government established the Fire Services Review Committee, which included representatives of the Ontario Professional Fire Fighters Association and the Provincial Federation of Ontario Fire Fighters. In 1990 and 1991, under the NDP, the committee met and its report was distributed for comment in 1993. All stakeholders, including fire unions, provided written responses. I don't know why the Solicitor General of the day didn't act on the report. Instead, he chose to institute another round of consultations in 1994.

In 1995, the fire marshal's office submitted a detailed report on which the Solicitor General received feedback in writing from the stakeholders, including the associations themselves. Prior to introducing this piece of legislation, Bill 84, the fire marshal and the Solicitor General met a number of times with both firefighter associations to discuss concerns. Dialogue is still ongoing.

As a matter of fact, the Solicitor General spoke to the association on November 21 and his message was very clear: "The government wants to hear your input at public hearings on Bill 84." In addition, the Solicitor General has committed to further meetings with firefighters in the new year. In fact, the firefighters have even written to the

Solicitor General and said: "We were pleased indeed to hear that province-wide public hearings will occur with regard to Bill 84. Like yourself, professional firefighters in Ontario would like to see a bill that enhances both public safety as well as labour relations."

So you see, this bill does protect the public. It educates the public. It updates the fire services. It reduces all the red tape that we've had before. What we must remember throughout this whole thing is that the issue isn't labour relations or job security; the issue with this whole bill, Bill 84, is protecting the public safety and security. I hope that all members of this House will support Bill 84.

The Deputy Speaker: Questions or comments.

Mr Michael Gravelle (Port Arthur): I want to be the first to compliment the member for Hamilton West on her first speech that was not done completely from prepared notes. I think it was just fine. Certainly I've had the opportunity to work with the member in committee on a number of occasions, and I will say that she is one of the people who I believe does care about a number of things, but that is not to say I do not think she is not misguided about a number of things. Certainly on this bill a couple of things come to mind.

When she was discussing the whole question of the right to strike, making note indeed that fire protection is an essential service — and I think we agree with that — and yet noting that firefighters have not had strikes for well over 70 years, if they've done that at all, to be perfectly fair, it's at the very least an insult to them to say both those things at once, if not really a betrayal of their trust. They have made it a point of great pride to mention that.

I think what it also comes down to, and it's important to note this, is that this government made a commitment while it was campaigning to consult with the firefighters in a very real way before it did anything. In fact there was a letter sent to Mr Ron Gorrie, who is the vice-president for our Ontario region up in Thunder Bay for the firefighters, in which Mr Harris, the member for Nipissing, the candidate at the time, stated, "No changes will be made under a Harris government until such time as your members have been thoroughly consulted."

This is something that was put in print, and I think unfortunately this is a pattern we've seen with this government, which is that the bill is put forward and consultation takes place afterwards. I must say that based on the experience we've had with the Fewer Politicians Act, which just passed third reading last week, when we saw what happened during clause-by-clause in that bill, when no amendments were accepted, and we've seen it frequently with other bills, although I'm glad to hear there will be public consultation — it's confirmed — one has to worry that there will be any actual amendments accepted in that process.

Mr Martin: I also want to commend the member for Hamilton West for the presentation that she made. I thought she did an excellent job of laying her thoughts on the table and presenting them. I agree with her and I don't think there's anybody in this place who doesn't agree that what we want is to improve services, make them better, help communities and organizations out there

which deliver services to be the best that they can be, and that's what we should be about here.

The bone of contention that we have with you in this bill and so many of the others that you're bringing forward is that, first off, you're downloading on to communities. This is what this is about. It's about the provincial government getting out of the business of delivering a particular service. The options that they have are limited: (1) They can turn it over to the volunteer sector; (2) they can diminish it in order to fit the reduced amount of money and to fit the tax base that's in any particular municipality so that they can continue to provide the service; or (3) they can turn it over to the private sector. That's where this whole question of the right to strike comes in, because over the years firefighters and their employers have been able to, with all the vehicles at their disposal, including the right to strike sort of in the background, come to agreements that have been equitable and fair.

2140

What the firefighters are afraid of is that you're going to turn this over now to municipalities or the private sector, which won't have the resource base to negotiate in good faith. If they don't have something at the end of the day, and ultimately all you have as a worker is your labour to negotiate, then you have nothing and you're at the mercy of an employer who perhaps doesn't have the best interests of the community at heart, particularly if he doesn't have the best interests of the worker.

Mr John O'Toole (Durham East): I appreciate the opportunity to speak, and I want to commend the member for Hamilton West for her very excellent, well-focused remarks with respect to the legislation before us. I would just ask as much of other speakers tonight. I think she kept on topic. The key is, the topic is really community safety.

I have met with all of the fire associations in Durham East representing Scugog, the Port Perry area. There are mostly volunteers in the Blackstock area, and indeed Whitby has a full-time force, as does Oshawa and Bowmanville. I've met with them and believe that most of all they want to be heard. The minister has made it very clear today that he is listening. There has been ongoing dialogue but a lack of willingness to make decisions.

I've heard them also suggest that the most controversial components of the bill — they agree with 90% of it, probably 95% of it. On one section, as we all know, part IX, certainly there's some discussion required. I believe the minister wants to work in fairness so that we have a balanced, progressive piece of legislation which deals with the organization of fire service and safety in our communities as we move into the 21st century.

Again getting back to the topic, the member for Hamilton West, unlike many of the previous speakers, kept on topic and tried to explain to the viewers some of the important components of this legislation dealing with firefighters, very important and well-respected members of the public service community, not unlike the police services. I commend the speaker and look forward to further debate as we listen for a long night. We have another two hours.

Mr Conway: I want to join other speakers in commending our colleague the member for Hamilton West for her extemporaneous address tonight. Well, it was extemporaneous. We've got into the habit around this place of getting up and just reading these prepared texts — God forbid that I should say it — sometimes written by the minions of the treasury bench. I'm glad to see a first-term member doing as our friend the member for Hamilton West just did. She did it very well, and she set a good example for the rest of us.

Now, just a couple of things. I thought it was perhaps the most fetching part of her address that, I'm sure out of pure happenstance, she publicized an example from west Grenville county, the wonderful community of Mallorytown, which I know would be everyday knowledge in Westdale in Hamilton-Wentworth. I just want to commend the member for knowing of some very positive happenings in the electoral district of our friend the minister responsible for firefighting. That, I thought, was providential and I'm sure entirely accidental.

Sometimes I'm accused of carping around this place, and I want to be positive and I want to be supportive, so let me do so. Mallorytown is a great place. I wasn't aware, as I'm sure the minister wasn't aware, of the particular bravery. Well, actually — dare I say it in the presence of the minister? — a cousin of mine is down in that very precinct — God forbid again that I should say it — and the local president of the OMA, so perhaps I should phone him tonight and say, "If you hear of a man named James, be careful." But Mallorytown is a great place, and I commend the member for drawing it to our attention.

The Deputy Speaker: The member for Hamilton West has two minutes to respond.

Mrs Ross: I'll just address a couple of the comments. The member for Port Arthur said he felt this was an insult to the firefighters, to take away the right to strike. I just really want to reiterate my own personal feelings. I feel it's such an essential service that no matter how remote the possibility is that that firefighter isn't going to be there to protect me or someone else in this province, I want to make sure it's removed. So unfortunately he and I will differ on that.

The member for Sault Ste Marie said that in some of the committees — the last committee we were in together, general government, we looked at the Fewer Politicians Act and no amendments were accepted at committee. But my experience has been, with most of the committees I've sat on, almost every single one of them, that amendments came forward from the opposition and we did listen and we did adjust the bill. So my experience has been a little different. This was the only bill I sat on where no amendments were accepted. So again I've had a significantly different experience there.

I thank the member for Durham East very much and I agree with him that we are trying to bring forward a balanced piece of legislation that addresses public safety and security. I think this bill does that.

The member for Renfrew North, as always, was most eloquent and a hard act to follow, but I thank him for his positive and supportive remarks.

I want to just say as I close here that we in Hamilton-Wentworth are very, very proud of our fire service people, every single one of them. They're important, very hardworking and very diligent. I think this piece of legislation will help them to do their job better and I hope everyone will support it.

The Deputy Speaker: Further debate.

Interjection.

The Deputy Speaker: — to lead off. It was understood that way; it was agreed upon. The member for Timiskaming.

Mr David Ramsay (Timiskaming): I'd like to thank all members of the House who cooperated with my particular schedule this evening when my presence was required in the justice committee in dealing with other matters for the business of the government. I appreciate colleagues from all sides who pitched in and gave their speeches before the lead-off speeches this evening and contributed very, very well from what I saw as I looked up at the screen while we were in committee on Bill 84.

I'd like to start this evening where this bill sort of officially started, and that was with the minister's announcement on October 16 of this year when he introduced the bill. By the way, I'm very happy that the minister is here tonight and thank him for being here to listen to these speeches. But this statement that the minister used to introduce the speech really just sort of sugar-coats what this bill is all about. It just highlights, as I suppose good political spin should, some of the good aspects of this bill, and I certainly will say in the time that I have tonight, as other members have, that there certainly are some very good aspects to this bill.

In fact, I would say to the minister that if he wanted speedy approval of this and wanted the official opposition to vote for it, he could make one little change and we'd be right there voting for it. That would be taking away part IX of the bill, and we could support everything else. I'm sure the vast majority of men and women who work in firefighting in Ontario would also support that, and I would say to the minister that this would give us some time to work together on those labour relations items that are a concern with firefighters and yet we could get on with the many positive aspects of this.

I'm certainly going to address those things in detail later on, but in the minister's statement of October 16 of this year when he introduced this, he talks about some of the very fine fire safety measures that are contained in this bill, streamlining of services and improved public safety. But then we come down the page and there's this what looks to be very innocuous paragraph talking about how "The Fire Protection and Prevention Act is part of the government's municipal restructuring program. It will give municipalities the flexibility to find the best ways of providing local services to meet local circumstances."

2150

Here's the rub. This is really what it's all about. Really what it's all about is, I would say to the public, a continuation of Bill 26. I referred to Bill 26 when I spoke to the firefighters outside at a demonstration last month, and I know the member for Algoma-Manitoulin had referred to that demonstration when the minister was here also in his speech. There were about 2,000 firefighters outside

that morning. What I said to them was that Bill 84 was basically the son of Bill 26 and that if Bill 26, as we would say here, is the mother of all bully bills, then certainly Bill 84 is the son of that mother. It's certainly another type of bully bill.

It is a continuation of the anti-labour agenda that this government has. It's attacking labour in each sector of the economy of this province. One of the next groups to be hit, as we've had inkling from the Minister of Education and Training, is the teachers. Once the Minister of Education steps in and abolishes school boards, he can open up teachers' contracts and apply some of the very same onerous labour relations aspects of this bill to teachers. I would think this particular minister, once he gets this under his belt, if he does, will now look at the very fine men and women who put their lives on the line in another way than firefighters do, and that's the police officers of this province. I'm sure he's got them next on the list.

But right now he's concentrating on firefighters, and the very sad thing about attacking firefighters is that he is fixing a problem where there is no problem at all. I've always believed — and it's, if you'll excuse the expression, commonsense knowledge that people have in rural Ontario — if it ain't broke, don't fix it. This is a classic example of that very thing. When it comes to the labour relations aspects of firefighters across this province, it ain't broke. There is no problem, and nobody on the government side has made the case, has made the argument in this House or to the firefighters themselves or to the public right across the province, that for some reason we have a labour relations problem with firefighters, that we've had incidents where fires have broken out and firefighters have refused to go to the job. That's just never happened. That's never happened in this province. To slap the firefighters with this anti-strike legislation when they have never struck in the first place is insulting and demeaning.

That's exactly how they feel about it. They are concerned and, more than that, they are angry. They're going to express that anger, as they have out here in a demonstration on the front lawn, and they're going to continue to do that as a legislative committee yet to be named — it might be the justice committee — will after the winter session of this House travel across the province. They have a right to be upset, especially in this situation where this is not a problem. There's always going to be public debate between pro-labour activists and governments of the day as to what is deemed an essential service, and from time to time all of us as legislators are tested in our resolve with the conflict between the perceived public good and what is the right course to take in order to protect workers' rights.

Sometimes that test is very severe. The most extreme example that I can remember in my time at this place was when the Wheel-Trans drivers of the TTC, those drivers who transport physically challenged people in that service of the TTC, went on strike. That is probably one of the most extreme examples where a legislator of good faith is tested for his or her values: having to decide between his belief in collective bargaining and the workers' right to strike versus the public good. In that

case, one can make a compelling argument on both sides, but I think it would be very difficult not to reflect on the public good in this case where physically challenged people are literally, in a situation like that, held captive in their homes and their apartments, unable to be mobile, unable to get to jobs, doctors' appointments, to do the day-to-day errands that all of us who are totally ambulatory take for granted; to be able to get our groceries, to go to the drugstore, to do all the errands that we all take for granted. That's a test. That's a potential problem. That's a situation you might want to look at — is that sort of service an essential service to the community? — and certainly have a very strong debate.

I think when it comes to firefighters, there's really never been that debate, because while firefighters up to now have always had the right to strike, they have never exercised that right. There was at first an unwritten code and then a code adopted in the various firefighter professional associations that they would never jeopardize the lives of citizens because of a labour dispute. With that history, with that code, with that constitutional phrasing, for this government to still say, "It looks like there really is a problem here," what they're really saying is they don't trust the men and women who put their lives on the line every day of their lives in this province to keep us safe and to protect us. They don't trust them.

For the life of me, I just don't understand why they would mount this attack on firefighters. We all know in society — and every so often newspapers provide surveys — how high people are kept in esteem by the general public. We all have a sense of where politicians stand on that list, and other people, but I'll tell you, firefighters, along with police officers, will be way, way up on the list of people who have extremely high esteem, not only self-esteem but esteem by the people in the community. To mount an attack such as this that's contained in Bill 84 on a group of men and women who are held in such high esteem, who we see every day on our newscasts going into burning buildings and saving children and adults from the accidents that happen in homes and in the workplace, from the human foibles that occur from time to time that cause fire, quite frankly, I just don't understand it. To be very blatant about it, I think it's just stupid and in fact it's bad politics. I don't know why you'd do it, especially when there isn't a problem.

In this business it's important that you take on the good fight when you know it's in the public interest, when you know it's right and even at a time when maybe it's not popular. It's still the right thing to do to do the right thing. But in this case, it doesn't seem to be the right thing at all. It doesn't seem to be in the public interest. There doesn't seem to be a problem. So firefighters, through some of the education that has now happened by firefighters and their families throughout the community since the introduction of this bill, have sent the alarm through the community about this attack.

Here is a government with the authority of Bill 26, piggybacked by the authority of Bill 84, that is now mounting this attack on what I think would be perceived as an extremely innocent group of people in society, a group of people who have not caused a problem to their

communities, to their government, to society as a whole, and in fact — I would say it this way — are adored, are looked upon from time to time as heroes but certainly as people who serve the public good. So why part IX of this bill is there is really a mystery.

I think the government will have a lot of explaining to do as it takes this bill right across this province, as I believe has been promised by the minister and the House leader. When we complete our winter session, which should be some time at the end of February if things go well, in March and maybe into April we will be visiting, I hope, eight or nine communities across the province, as well as having hearings in Toronto, where not only firefighters from all those communities but citizens from all those communities can come forward and express their views about this legislation and what effect they think this legislation is going to have on the morale of firefighters.

2200

Mr Bradley: This will be an extension of the fall session, not a new session.

Mr Ramsay: My House leader corrects me, and through me the record, that it will be just an extension of the fall session. I appreciate that and certainly look forward, on January 13, I believe, House leader, when we will return here for that extension.

Mr Bradley: Surely that will be the case, not a new spring session.

Mr Ramsay: Well, there you are. We will negotiate this issue as we speak right now.

I would like to review in detail all the different sections and parts of this bill and go through it section by section. As many members have noted, this bill is an omnibus bill, if you like. It basically consolidates nine previous pieces of legislation, and for that I don't fault the government. Over the years we have developed various aspects of firefighting legislation to cover different parts of the job, the different aspects of how firefighting and its different services relate to the community. So over the years we have developed a hodgepodge of legislation through these nine acts. From time to time, it's not a bad idea to clean up the legislative trail we have blazed over the years, to consolidate, to bring it together in an understandable, more comprehensive form. There's nothing wrong with that, and this is the right time to do this.

On some aspects of this bill, there has been over the years a lot of consultation. In fact the minister, in his statement, actually said there was too much consultation and blamed the last two governments for their inaction. He said: "The previous governments used these consultations as an excuse for inaction. They examined the issue to death and then backed away from it. They had the opportunity to reform the fire service and they failed to act."

One of the reasons previous governments failed to act was that the consultation had not been complete. As the minister stated, and others have verified, this is a very complicated bill. As bills go, it's fairly lengthy, as it does consolidate nine previous bills. There is one area that had not been fully consulted and to this day remains not fully

consulted, and that is the labour relations section, part IX of this bill.

This act basically sets out a new regime, as we have talked about, for firefighter collective bargaining. With that, the bill repeals the Accidental Fires Act, the Egress from Public Buildings Act, the Fire Accidents Act, the Firefighters Exemption Act, the Firefighters Protection Act, 1993, the Fire Marshals Act, the Hotel Fire Safety Act and the Lightning Rods Act. Most importantly, however, the bill repeals the Fire Departments Act, which has regulated collective bargaining for firefighters for decades.

I think it should be noted — and I imagine I would note it a few times this evening in my speech — that Premier Harris, before he was that, during the last election, promised the firefighters he would not bring any changes to their legislation until they had been fully consulted. He wrote a letter to the two provincial firefighting organizations that he would fully consult with them. Unfortunately, that has not been the case since this government was elected. There has not been a consultation on the labour relations aspects of this bill. Yes, there have been a couple of meetings, and representatives of the firefighter associations have met with the deputy minister. There was an introductory meeting with the minister before this bill was introduced, which is customary for new ministers to get to meet the interest groups — the clients — that that minister is in charge of, and should be advocating for, by the way. But there have been no substantive meetings yet with firefighters in regard to the labour relations aspects of this bill. In fact, that's something that firefighters want to do and they have been very positive about that.

Their approach has not been maybe like some groups that they're just against, it's just a negative response even to this onerous labour relations section of the bill. What they have said they would do is they would work with the government. They would like to work with the government officials and find some solutions for this aspect of the bill. I certainly applaud them for that. They've said they would basically sit down and roll up their sleeves and work with government officials to improve the labour relations areas.

But to put in the onerous provisions that are there in part IX is unacceptable and they're certainly not going to accept it. They are going to fight it, and from what we've heard tonight from both opposition parties, I think you would see that both opposition parties, unlike the government and the government members, are on the side of the firefighters in this battle.

I would like to start to go through some of the structure of the bill, which is divided into 13 parts.

Part I is the usual introduction of a bill where exclusive definitions that pertain to the specialty that the bill deals with are listed so that there can be consistency through the act so everybody has the same understanding what certain terminology means. There is an all-inclusive definition of "fire protection services" in this section, which applies to part IX and ensures that persons performing services such as fire suppression, fire prevention, fire safety education, training and communication, are within the scope of the firefighter bargaining units.

Part II sets out provisions governing responsibility for fire protection services, and I'll comment on that later on as I go through the bill.

Part III continues the office of the fire marshal and sets out his powers and his duties.

Part IV empowers the minister to make regulations establishing a fire code.

Part V establishes rights of entry in emergencies and fire investigations.

Part VI contains inspection provisions.

Part VII provides for offences for breaches of the act and other enforcement provisions.

Part VIII provides for recovery of costs resulting from inspection orders.

Part IX, and I've referred to part IX previously, contains very significant changes and they are in firefighter employment and labour relations. I'll certainly get into that in more detail later on this evening.

Part X continues the Fire Code Commission as the Fire Safety Commission.

Part XI formally establishes the Fire Marshal's Public Fire Safety Council, whose objects include entering "into partnerships and agreements with persons or organizations in the private sector or with public bodies or organizations" to promote fire safety or provide training, education and prevention activities.

Part XII contains provisions protecting firefighters and other individuals with responsibilities under the legislation from personal liability where they have acted in good faith. Part XII also provides for indemnification for reasonable legal costs incurred in defending a civil action where a person is found not to be liable or in defending a criminal prosecution if found not guilty. These statutory indemnification provisions are subject to specific indemnification provisions in collective agreements, except that a collective agreement cannot provide for indemnification of a firefighter found guilty of a criminal offence. There's also a provision in part XII that contains cabinet's regulation-making power.

Finally, part XIII repeals various pieces of fire legislation.

That is a summary of what is in the full bill, and before I get into that I would just like to give a little bit of the history of how we got to today and some of the steps that were taken by previous governments to get here.

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The main legislation governing the provision of fire services in this province has really remained unchanged since about 1949. It was in 1989 that the Liberal government of the day created the Fire Services Review Committee. I think some of the members of this House tonight, and the minister especially, have referred to the Fire Services Review Committee that our government had set up in 1989. This consisted of representatives from the Solicitor General, the Association of Municipalities of Ontario — affectionately referred to as AMO around this place — the Ontario Association of Fire Chiefs and the various professional firefighters association. It was the task of this commission to review the delivery of fire services in Ontario, and following the election of the NDP government in 1990, the review was continued, but

essentially nothing more happened during the NDP term in office.

The Fire Services Review Committee report was eventually released, reflecting consensus, and where not achievable, the views of the ministry staff. You could just guess in what area consensus was not reached, and of course that was with the labour relations areas.

Now we are at the point where the Mike Harris Tory government has released this legislation purporting to be the end result of this long consultation process, but that is not the case because the process was not completed, it was not finished, and you ask any professional firefighter in this province and they will tell you they were not consulted on the labour relations provisions of this act.

This bill is intended to streamline current legislation. It is there to create better integration of services, to provide more public education to increase fire safety and to give municipalities more flexibility to deal with local fire services.

I went through just a minute ago the bills that this act repeals and I think it's a good idea to clean that up, so that in any area of the government domain people have easier access to the rules and regulations that govern their activity. It is good that we consolidate all that we care about, are concerned about, and regulate in regard to fire services in one act. It's good to have it in one place. It's good to have a single reference point so that anyone in the province, be they general citizen or firefighter and particularly concerned about this particular sector of our society, can go to the one place and research the requirements under law in that particular area.

I certainly don't have any concern about consolidation. This, I would say, is one omnibus bill that would clean the legislative trail from over the years, as I said, that we've blazed and bring it together and make it clearer, I think, for all concerned.

With just a little more detail now I'd like to go through some of the different parts, and then I will certainly spend a little more time on some of the various sections, especially part IX, of the bill.

Part I, as I said, sets out the definitions of various terms utilized in this legislation. If you look at the act, there are definitions such as for "community fire safety officer" and "community fire safety team." Read the definition in this act of what a "fire chief" means, then "fire code," "fire department," "firefighter." While it may seem obvious, it's important in a piece of legislation, especially as technical and as complicated as this, to have very clear definitions so we all understand what the act means and what all definitions mean so we have some understanding. It even goes so far as to give definitions for "municipality" and "minister," so it's all there in that section, as straightforward as it would be in any piece of legislation.

Part II of the bill deals with municipal responsibility for fire protection services. There could be somewhat of a controversy on this with some municipalities too, because subsection 2(1) requires something that I think might surprise people, that isn't there in the law today, that every municipality establish, at minimum, a fire safety public education program. This is a very good aspect of this bill. Sad to say, and usually because of lack

of resources, there are some municipalities in Ontario that don't even have this bare minimum, a basic fire safety education program in their township — primarily they might be townships — or town, and that's very important that we have that.

We know, for instance, the fire education program that fire safety organizations and governments have introduced over the years in regard to smoke detectors and smoke alarms, which previously were only in industrial and commercial buildings and are now, I would say, fully introduced into residences across this province, has saved hundreds if not thousands of lives in Ontario. Fire safety, fire prevention, is the best way to suppress fire, to suppress it before it gets going. This provision of the bill is sound, and I certainly support that.

In this, the municipalities may also provide other fire protection services such as fire suppression, rescue and emergency services, if deemed necessary. Again, I think somebody living in a large municipality, whether that be in the eastern part or western part or southern or northern sections of this province, might feel that fire safety is already mandated or fire forces are already mandated in this province, and yet that is not the case. Again, many small municipalities, while maybe organized and having a council, just do not have the resources to provide their own fire protection services. Many of those might have contracts with other municipalities so that they can share services, but it is still not mandatory that they have those services.

Subsection 2(2) of the bill requires each municipality to appoint a fire safety officer or team to establish a fire department, depending on their needs. Fire safety officers would provide fire protection and fire safety public education programs. Fire departments would provide fire suppression and other fire protection services. The fire marshal would advise municipalities in determining the level and type of services to be provided.

So, this section here now does deal with fire protection but also fire suppression, and it does make it mandatory for municipalities to supply that service. This, while obviously it would be looked upon as being motherhood, that of course we would want every citizen in this province to be able to live in a municipality where there is firefighting protection for their citizens, in some cases is going to be very difficult, for some of these smaller municipalities in Ontario to provide that service.

I would really doubt, unlike previous governments and especially previous Conservative governments, that the Ontario government is going to provide some assistance for this fire suppression service. It would be badly needed in many communities. In fact, it's maybe a cruel irony that some of the communities that might need it the most are maybe some of those remote communities where people might rely more on wood heat, for example, as a heating source, might, for example, live in more remote northern areas where having a wood-heat appliance in the house would be far more necessary than maybe in other parts of the province and it would be running with fire for many more months than, say, it would in southern Ontario. Those are probably the communities, ironically enough, that in many cases don't have fire suppression service and probably would need it the most, as the

incidence of fires, domestic fires especially, would indicate with that type of heating appliance. This, while obviously a sound idea, is still going to be difficult for some municipalities to supply.

In that part, the bill goes on to say that two or more communities may share a community fire safety officer, team or fire department. Such arrangements would permit fire departments to respond to fires and emergencies regardless of the municipal boundaries. Some of that does exist today, where fire departments do have different contractual arrangements with neighbouring municipalities.

2220

Also in this section, the fire marshal may also enter into agreements to provide fire protection services to areas that do not have municipal organization. I'm not sure how that is going to work in detail, but I think that is something I'll look at with great interest, because in the district of Timiskaming, the electoral district I represent, while I have 26 organized municipalities in the electoral district, much of the land base where many people live is in unorganized municipalities. Many of them still do not have fire service. I will certainly look to the ministry to see exactly how that's going to be implemented, that the fire marshal may also enter into agreements. I'm not sure where the resources are going to come from. The bill doesn't really speak to the resources that could provide that service for people in unorganized townships, but I would be very curious and anxious to see what the minister's response is on that and where he thinks that fire service is going to come from.

The section goes on to say that if a fire department is established, a fire chief must be appointed by the municipality or the municipalities involved. Similarly, two or more municipalities with separate fire departments may appoint one chief for all the fire departments. The fire chief is ultimately responsible to the municipal council for the delivery of fire protection services.

I think it should be noted that municipalities were not previously required to provide fire services, and it is quite unlikely that they will receive any additional financial support from the provincial government. These new responsibilities, as I said earlier, could prove to be very expensive for some municipalities. I hope that as we go around the province, it looks like now in March and in April, we get the word out to many of those municipalities, especially those in northern Ontario where there are many unorganized areas that might have a fire services board, might have a roads board, so there's some organization there. Now that they're required to provide a certain level of fire protection, I'd certainly be interested in their comments as to how they're going to generate the revenue to provide that. That's certainly not clear in this legislation, and it'll be interesting to see how those municipalities react to that.

Part III of the bill sets out the powers and the duties of the fire marshal. This permits the delegation of certain functions to other persons from the fire marshal.

Part IV permits the minister to establish a fire code for Ontario. I'm actually going to have to do more research on that section because my understanding certainly is that we have a fire code for Ontario, and maybe here it's

going to be more freestanding from the building code of this province, but certainly we have, for the most part, very strict and rigorous fire code standards here in Ontario that are as good as anywhere in North America, except maybe for the odd exception.

I brought one exception to the minister's attention the other day that I think is still lacking, and that's not necessarily in the code but in the fire marshal's interpretation of the code. In that particular case, it has to do with tubular core doors. As you probably know, a renovations act was passed a couple of years ago that gave landlords actually up to October of this year to complete some fire code renovations to buildings that existed before 1976 that were not equipped with a fire-rated door that all buildings built since that time have. The problem is, and we see it from time to time, when one of those buildings catches on fire, those tubular core doors don't have 20-minute fire resistance that a modern fire door requires, and this can cause great problems if there's a breach of that door by fire. Primarily we're talking about apartment buildings here. There's been a dispute between the fire marshal's office in this province and now various fire chiefs, who in the past always relied upon the fire marshal for interpretation of the fire code. Now the fire marshal is saying that the tubular core doors are as safe as the fire-rated 20-minute doors.

I have seen some of the photographs from the last official test that was done by the Canadian Standards Association, and those photographs, before the 20-minute mark, show that the fire breached the door. The frame was in place, but a good portion of the door was not in place. That means that fire was able to breach the door and enter the living space.

That's very important and that's an issue I'm going to continue to pursue with the minister, even though I know that it's potentially a great cost for landlords who own apartment buildings built before 1976 that have not been retrofitted with those fire doors. I believe that in public safety the retrofit act, that portion of the Ontario fire code, should be enforced. All doors for apartments in Ontario should have a 20-minute fire code rating in order to protect our citizens, regardless of the cost. Quite frankly, the cost isn't that much. Proper fire core doors can be purchased, especially for the bulk and the scale that need to be purchased for an apartment building, at around \$120 to \$150. I think that's cheap by any standard to protect lives in this province. If we have a fire code, I would say to the minister that we ensure that the fire marshal enforce that code.

Part V of the bill permits entry on to lands and premises in emergencies and for fire investigations. Firefighters or other authorized persons may enter without a warrant on to various lands and premises for the purposes of fighting a fire, providing rescue or emergency services or removing a serious threat to life or to the environment. It also states that municipalities will be able to enter into automatic aid agreements, permitting firefighting or rescue services to be provided automatically, without a warrant, on premises beyond the territorial limits of the fire department.

There really should not be much controversy about this area, because what this does is basically free the

firefighter from liability when she or he feels that it's proper for the preservation of life basically to do the right thing, to make an entry, to remove some material that they see fit in order to save lives. I believe the firefighters really welcome that. It gives them I think a sense of ease in doing their duty, and it's important when we're talking of the emergency nature of this work, the life-threatening nature of this work, that they have that comfort. That's an important aspect of this bill.

Entry without warrant on to lands or premises is also permitted for the purposes of investigating the cause of a fire. The use of force is not permitted for such purposes, but this section does permit the fire marshal or the fire chief to apply for a search warrant if access is denied.

Moving on to part VI of the act, this deals with inspections and permits and permits the inspection without a warrant of land and premises for the purposes of assessing fire safety. As I said previously, fire safety has to be the most effective fire suppression technique available. If one can prevent the fire from occurring in the first place, I think that is a goal we would all applaud. Whether it's health care or many other aspects, prevention I believe is the way to go about it, and that's what this part of the act speaks to.

Under this section the fire marshal and assistant to the fire marshal or fire chief is an inspector for these purposes. An inspector may order the owner or the occupant of land or premises to take measures to ensure fire safety and may order closure of the lands or premises until the repairs are made. Orders made by persons other than the fire marshal may be appealed to the fire marshal, who may confirm, amend, rescind or change the order or may refer the matter to the Fire Safety Commission for a hearing. The fire marshal is not required to hold a hearing. Any person dissatisfied with an order made by the fire marshal may appeal to the Fire Safety Commission for a hearing, following which the Fire Safety Commission may confirm, amend or rescind the order of the fire marshal or replace it with some other order.

2230

There is an avenue for appeal here and it gives some flexibility to the Fire Safety Commission to change this if they think what the fire marshal did was incorrect.

Part VII of the bill deals with offences and enforcement. It states that it is an offence to hinder or obstruct the fire marshal, their assistant or a fire chief in the performance of their duties; to prevent an inspector from carrying out an inspection; to fail to cooperate with or to mislead an inspector, or to contravene the legislation or regulations thereto, or to disobey the orders of the fire marshal, their assistant or a fire chief. Individuals convicted of such an offence may pay fines of up to \$10,000 or go to prison for up to a year, or both. Corporations may pay fines of up to \$50,000.

While these penalties may seem steep, it's important that they be this high to act as a deterrent for people who may want to interfere with the proper investigation of fires or damage caused by fires, getting in the way of the fire marshal, their assistant or the fire chief. It's very important work that the fire marshal, the fire chief and their assistants do in investigating and it's very important that this work not be interfered with. Therefore the

penalties are steep, and I believe that's correct and support that.

Part VIII permits the province or a municipality to recover costs incurred in carrying out work authorized by the Fire Safety Commission or to prevent an immediate threat to life. An order to pay such costs may be appealed to the Fire Safety Commission and, following a hearing by the Fire Safety Commission, to Divisional Court. Such amounts may be collected by the municipality as if they were municipal taxes or may be enforced by the Ontario Court (General Division). Just a note here: Of course this name is going to change, and I think this will have to change in the act, because once Bill 79 passes this court will be known as the Superior Court of Justice in this province.

Now we come to part IX of the bill, and I certainly want to spend a little time on this part IX. As you know, Mr Speaker, I think from probably your own experience in talking to firefighters and some of the speeches here in the House that were set out tonight, this is the most onerous part of the bill, the most controversial, and I think the part of the bill that is the most unpolitic of this government. As I said previously, I just sort of scratch my head and wonder why the government took this part on when it really wasn't necessary.

As I've said, this is the most problematic part of this legislation from the point of view of the firefighters, and also myself, as it deals with employment, collective bargaining and labour relations issues. This part of the bill sets out a separate definition of "firefighter" for labour relations and collective bargaining purposes. It provides that "'firefighter' means a person regularly employed on a salaried basis in a fire department and assigned to fire protection services and includes technicians but does not include a volunteer firefighter."

Right away this is very controversial for the professional firefighters, who really have great pride in that professionalism and quite rightly distinguish themselves from the volunteer. That's not to say anything negative or derogatory about volunteer firefighting, because the volunteer firefighter in Ontario is the backbone of firefighting that complements the professional firefighters who are able to find employment in those big municipalities that can afford, and because of their population require, a professional, full-time firefighting force. But the concern here is that for collective bargaining purposes the division has been spelled out and I think will have a negative connotation and effect on professional firefighters.

Subsection 41(2) of the bill also clearly excludes persons exercising managerial functions or designated as managers from the category of firefighter and thus from the bargaining unit. This also is a touchy issue for firefighters, as pursuant to the existing Fire Departments Act, only the fire chief and the deputy chief in each department are currently considered to be management and outside of the bargaining unit. This provision will effectively transform positions that are currently part of the bargaining unit into the management structure.

Of course, what the government is trying to do here, like they have in all of the various unions they seem to be wanting to wage war with, is to decrease the size of the bargaining unit. This is of course what's really behind

the elimination of grade 13. What the Minister of Education gets from that is he reduces the number of teachers, and again, through that, he diminishes the strength and the power of the teachers' unit because he reduces the number of teachers who are in that. So it's really quite consistent through all the acts, as I mentioned before. This time it's firefighters they are taking on.

The municipalities represented by AMO and the fire chiefs are of course clearly in support of placing positions performing management functions, or which have access to confidential information, outside of the bargaining unit, whereas the professional firefighters are willing to accede to the creation of new management positions but believe they must be deployed in addition to the existing positions. Firefighters see the aim of AMO and the fire chiefs as that of weakening their bargaining units by encroaching on their membership. That's really what's happening here, and it's too bad they're doing that because as I think we know, when you speak to firefighters there's a tremendous professional pride not only in the work they do, but in their associations. They work together as organized workers for the collective good of not only their own organization but also the community as a whole, and they certainly take pride in their organizations and the strength of their organizations.

It's interesting to note that because of the strength of those organizations, we all know in our communities the benefits that firefighters contribute outside of their work to the community and the extracurricular activities they provide in many, many communities outside of their work. My colleague from Ottawa Centre has stated that hospital work is one of those endeavours. He would know that, having worked with the children's hospital foundation in the city of Ottawa, before being elected to this place, in a position that relied upon volunteers to come out from all sectors of the community, in this case to help a children's hospital, just like hospitals right across this province rely on all citizens to roll up their sleeves and to pitch in and help. Firefighters have been a group that have contributed certainly their share to the community.

The government construes this as an issue of effective management; that's what they're saying. They're not saying that downsizing the bargaining unit is really any purposeful attempt to weaken the organization. They state that major urban fire departments require more than two management positions to operate properly and that this structure will also permit the recruitment and promotion of the most qualified candidates rather than forcing departments to stick to the seniority based promotion system that characterizes union positions.

2240

I think this is something that really needs to be discussed. I'm going to look forward to our committee hearings, because in the past this has been the accepted notion in many bargaining units, that positions are strictly filled by seniority. I certainly want to hear what firefighters have to say about that, what suggestions they might have to address that concern of efficiency. I think for now I'll keep an open mind on that, and I want to hear what firefighters have to say in those province-wide hearings that we're going to have in March and April.

Another controversial provision is section 42 of the bill, which states explicitly: "No firefighter shall strike and no employer of firefighters shall lock them out." I think, and I mentioned this previously, this particular sentence in this bill is the most onerous aspect of this bill. I say to the minister, who is here in the House tonight and listening to these speeches, that he could get all-party approval on this bill immediately so that we could implement the very positive provisions of this act —

Mr Patten: And score big points.

Mr Ramsay: — and, as my colleague from Ottawa Centre states, probably score some very big points with firefighters and the general population across this province, because we could get the positive aspects of this implemented. Firefighters, fire chiefs and the fire marshal of Ontario could work together on this, which is 90% of this bill, implement it, get it in, and then give all of us the time to work out the labour relation aspects of this bill. Firefighters' organizations have said that they're willing to work with the fire chiefs, with the fire marshal's office and with the officials of the Solicitor General to iron out the problems with this, to come up with a solution that all could live with.

Especially when, as I said previously, this is an aspect with firefighting that is not a problem, I just don't understand the minister's insult, I guess I'd have to say, to the profession to have inserted what I referred to in my statement in the House when we had the rally outside as a poison pill that has been placed inside primarily this very nicely decorated cake. It's got some great icing on it and it's got some good substance in it, so by and large it's a great cake. But for some reason, the minister, in order to disguise this section, created this poison pill and inserted it in this cake of a piece of legislation, and it's this poison pill that we're all choking on. It's this poison pill provision that we're rejecting, that firefighters don't want to swallow. I don't want them to have to swallow it either, and they shouldn't have to swallow it.

Again, I say to the minister tonight, you should take this out. Take this out of the bill to ensure speedy passage of the very positive aspects of this bill and let's work on whatever the perceived problem is here. Mr Speaker, as you know, there is not a problem here. I just don't know why the minister is pursuing this line. It is insulting to attack a group of professional men and women who lay down their lives on a daily basis for all of us in this province, who in some cases have sworn in their profession, and before that in unwritten code, who never, never in the history of firefighting in Ontario have used a labour dispute as an excuse not to help one of their citizens. That has never happened. Their history has shown that. They have promised that it would never happen, and not only with that promise, as I think we should accept in its fullness, but with the backing of that history that they've never broken that promise, we should accept their word, continue the trust that all previous governments have had in firefighters, and not put this onerous sentence in here that says, "No firefighter shall strike and no employer of firefighters shall lock them out."

I would think as I read that sentence, people would be surprised that it hasn't been against the law up till now that firefighters could strike. I am sure they are wonder-

ing — of course, I've never been aware of a strike either. I always thought and just took for granted that that's because it was against the law, not really appreciating the dedication that firefighters have to their work.

Until you walk in their shoes — in this case maybe it's their fire boots — until you really get to understand various professions and the people who work in them, you don't appreciate all the aspects of their work. I suppose for most of us in society, those maybe not as fortunate as some where a job is just a job and maybe it's not a calling, it's not a vocation, it's not a lifelong dream, but from time to time we certainly have to take any work to provide a living for ourselves, maybe we don't fully appreciate that for some professions, for some workers, there is a calling, there is a dedication that goes above and beyond punching the clock, coming in at 8 or 7 or 9 or whatever the case may be and leaving at night and forgetting the work. It's interesting enough, but it's funny enough that those jobs that are kind of life-threatening tend to have the people who can be some of the most dedicated to their work.

This is certainly the case of police officers that I've spoken to and firefighters that I've spoken to, that there's a camaraderie because of that life-threatening nature, that it has developed into more than just a camaraderie but almost a society that they know government, the people, the community depends upon, and they want to live up to the trust and respect that citizens in the community afford them. That has been shown and the history proves that they would never let the citizens down because they know they're held by the citizenry of this province in such high esteem. They never have let us down, and I believe they never would do that.

I hope that people understand what's really happening here, because to put that sentence in this act that now forbids strikes when there's never, ever, ever been a strike in the history of Ontario in firefighting is such an insult to that mindset that firefighters have that their job is to serve and to protect, just as it is for police officers in this province.

I would ask all members of this House, when they're having their meetings in their constituencies with their local firefighters, to really talk to the firefighters about this and how they feel about their job. You'll scratch the surface and really get down to the bottom of their dedication to their work, and ask them about this particular aspect of the bill and how they feel about it.

2250

I'm telling you, you will see emotion well up, you'll see anger well up and probably, most of all, you'll see disappointment well up, that the people they work for, the government, whether it be the municipality or through the municipality the province that regulates them, has basically given up on their dedication, has basically foreclosed on their trust and their faith and said: "We don't trust you any more. We don't believe you will continue to provide the service to the children and the men and the women of this province that you historically have always, always delivered to this province. We don't trust you."

It's really tough. In some professions — and I'm in one of them — we sort of accept that the public notion is that people don't trust us. That's because from time to

time, unfortunately, one of our kind will let down the public trust, and because consistently over time that has happened in many jurisdictions across this country and around the world, that's our reputation to bear. But never, never, ever have firefighters in Ontario let that trust down; they've never broken that covenant with the people of Ontario — never.

So I ask the members, especially of the government party, that when you speak to firefighters, really plumb the depths of that anger, of that disappointment they have in this government, from that particular provision of this bill. It is deep. It's quiet right now, it's Christmas. People are focused on family and holiday activities and festivities over the holiday season. It's a time for all of us of all religions to take a winter pause and just to celebrate what a great place we have in Ontario, so we don't focus on some of these issues.

Believe me, just wait till we're out of this place and whenever it is, a new or extended session, whatever it becomes, this winter session that we have, come January 13, when we have completed that and the justice committee, if that's the committee that takes it, goes on the road and travels from town to town and city to city — and we need to really have a very extensive tour of the province — to hear the communities speak about this, you will hear a lot of this despair and anger that I'm referring to tonight expressed by firefighters and their families, and as the rest of us learn of this from the community at large, I think you're going to be surprised by the reaction you're going to get from the general public.

I know you, on the government side, don't want to nor do you think you should pay attention to so-called interest groups, so when professional organizations speak to you, when they write to you, when they fax you and telephone you, you want to ignore that, and in fact you believe you're being virtuous when you do that because you think those are just the talking heads for a special interest, a particular group in society.

I think, quite frankly, that's wrong, that while in the past sometimes we may have listened too much to interest groups and maybe have done that to the detriment of listening to the general public, I think you have swung the pendulum too far away now from listening to the spokespeople of the various organizations. Because if you really want to know how firefighters think, how teachers think, how nurses think, you need to be in touch with those organizations.

But I think you'll find on this issue, as well as some others that you have touched upon, an issue such as this will transcend that interest group, it will transcend the firefighter organizations and their families, transcend right to the community and the population at large and they'll be out in force. They'll be knocking at our door. They'll be wanting to talk to us in all the communities where we travel, and I look forward to that.

Both opposition parties put up a strong effort to ensure that we would get public hearings, and while officially that motion of the House has not passed yet, I take it from the indications of the minister and the House leader that there will be public hearings, that they will happen some time after the winter session concludes. I'm asking

for about four weeks, if we could, so that we could at least have three weeks on the road.

I'm sure some of the Hansard staff, who may be here tonight or may not be, will be looking forward to those trips. I'm sure the other legislative staff will be very interested in doing a late-winter tour of Ontario. To get people up north in the winter too I think is very important, to get them to the east, to get them to the southwest and see if we can wear some of these Legislative Assembly staff out on that. That's the price of democracy. We need to take government to the people. Through public hearings that we have fought for and the firefighters have fought for, we're certainly going to hear what the public of Ontario thinks about this particular bill.

I want to go on from that particularly onerous section 42 of the bill about no strikes and just say what the Ministry of the Solicitor General says about this particular area. What the ministry says is that it's only clarifying that the firefighters don't have a right to strike. What I'm saying to the government is, you don't need to clarify anything. The firefighters, through their actions and deeds, have clarified where they stand on the issue. They've clarified over the years, and continue to clarify on all our behalf, that they will never strike. They haven't and I know they won't.

The other important issue about this right to strike is that while the government will say that firefighters have been consulted for years — in fact the minister in his statement basically said that we have consulted for too long and finally he was bringing this to a head — this particular aspect of the bill was never consulted on by the government.

In fact this is the other bone of contention with the firefighters, because Mike Harris, Premier Harris, said during the 1995 election that he would not bring forward any so-called reforms to firefighter legislation without fully consulting the firefighters. In fact he put that in writing. He wrote a letter to the two firefighter organizations in Ontario. They even have a video of him attending one of their meetings when he was drumming up support so that he could become Premier of this province. He said on the video, which is readily available, that he would not bring forward legislation such as we see here tonight without fully consulting, and he hasn't done that. He broke his promise. That's sad, but that's the truth, and I'm sure firefighters will bring that up with the legislative committee as we travel across the province.

Another section in part IX of the bill that is very onerous too in the labour relations aspects of firefighters is section 43 of the bill which deals with working hours for firefighters. This creates a platoon system, with a pre-determined working arrangement. Rightfully so, the firefighters see this as preventing them from negotiating their hours of work. It is opening the door to part-time firefighters.

Again, besides the firefighters not ever exercising their right to strike, they also have never engaged in a job action because of their failure to bargain, to negotiate. Years ago they were giving collective bargaining rights, as workers in Ontario have if they decide voluntarily to form a union. Most professional firefighters have decided to do so. They have been able to work with their

employer, the municipality, to negotiate directly with the fire chief and other managers in the fire department their hours of work, how the firehall operates. They have done that together. They've done that cooperatively. I don't know of any incident where firefighters have ever been negligent of their duty, for whatever reason, but especially because they weren't able to agree on collective bargaining issues. That hasn't happened.

But again, the Ontario government, which of course knows what's best for firehalls right across the province, is directly introducing in this legislation the platoon system, with these pre-determined working arrangements that are going to carve out working hours for fire departments, setting out minimums and maximums. Again, these are areas that traditionally have been bargained by fire departments, within fire departments, by the firefighters with the fire chiefs, ratified by municipalities, but this is no longer going to be the case.

2300

Currently the vast majority of firefighters are full-time, with some voluntary fire departments, as I mentioned earlier, in areas without a fire department. Their concern is that part-time firefighters will be unable to get to the scene of a fire in a timely fashion or to remain on duty as long as may be required to fight a fire or complete a rescue, and this will jeopardize both lives and property.

In fact this is true. I live in two very different communities. My home is in a rural township of about 450 people. It's a township where I was the clerk-treasurer for 10 years before I was elected. We're the typical northern Ontario township, six miles by six miles. We have 48 miles — I still think that way — of road network, and only recently have we had a fire department. It's a volunteer fire department. The volunteer firefighters live and work out on farms, primarily, from the centre of the township where the firehall is located.

Mr Conway: Which township?

Mr Ramsay: Casey township is the name of the township, which borders the Quebec border. It's actually 525 kilometres due north of Toronto, right up Yonge Street.

Mr Conway: And how far west of Ville-Marie?

Mr Ramsay: A little bit west of Ville-Marie, Quebec, by about 35 kilometres, as the member for Renfrew North is very interested to note.

In that regard, we have a sparsely populated area, so obviously it's not very dense. When a call comes in, basically a call has to come out to the volunteers through a paging system. The volunteers have to come in to pick up the equipment and get out to the fire. In rural municipalities this works fairly well. Basically it's the best we can do. It's the best we can provide. It's what we really can afford. As I said, only until maybe 10 years ago, we never even had fire services in our township. I know that's common for many rural townships, especially in some of the remote areas of this province.

The other place I live is downtown Toronto, when I'm down on committee work and legislative sessions such as tonight. There is a fire station two blocks south of where I reside in the city, as there are many, many blocks around the centre core of the city. There is a permanent staffing of firefighters in those stations. When a fire

breaks out, it breaks out in this particular centre core area in a highly, densely populated apartment building or office building, in the daytime, some of them as large as some of the towns I represent in the riding of Timiskaming. It is necessary to have a timely service when thousands and thousands of lives are potentially in jeopardy when a fire breaks out in any of these buildings. So the need for professional fire services in our most densely populated areas is paramount. It's absolutely essential that we have those fire services there.

To basically give the flexibility to these municipalities and to allow them to think they could start to staff these firehalls with part-time firefighters, who do an admirable job in rural Ontario, is wrong and it can't work out. Again, it's another example of this government putting cost ahead of public safety. It's another example of the lowering of standards that this government is presuming across this province, a lowering of standards in this case, as in similar areas such as winter road maintenance, that potentially puts people's lives at risk, and that's wrong.

With all the zeal for cost-cutting and government efficiencies, it's extremely important that we don't cut public safety, public security, that we don't cheapen the standards that we have worked very hard to develop over the years and that make Ontario one of the foremost jurisdictions in the world, with very high standards when it comes to public safety in regard to policing and firefighting, road infrastructure, agricultural safety in the handling of pesticides and food safety and regulation. We have very, very high standards here. And yes, they come with a cost, but over the years, up till now, it's a cost that the public has agreed is worthwhile. Here in this bill, in Bill 84, this act to promote fire prevention and public safety, we're potentially seeing a lessening of those standards, and that's wrong.

Section 44 of this bill also continues to provide that firefighters' employment can be terminated upon seven days' written notice together with written reasons. This provision does not stipulate that such a termination may be for cause. I find that very unusual. I'm not a labour lawyer, but today termination usually must be stated for cause. Although there is a mechanism for review of such terminations in accordance with the provisions of the collective agreement, or by an independent reviewer if no collective agreement process exists, it is likely that section 44 flies directly in the face of most, if not all, collective agreements. Again, this is an example of the labour agenda of this government, to break into another sector's collective agreements in this province — in this case firefighters' — rip those apart and change them for what Ontario sees as the betterment of the bottom line of municipalities in this province.

Probationary firefighters may be terminated without cause also at any time during the first 12 months of their employment unless their collective agreement provides otherwise. For them, there's no review mechanism for such a termination. So some young man or woman entering firefighting today doesn't have any security at all in those first 12 months. They are certainly going to be on tenterhooks as they try to prove their worth to their comrades in the force, and it is going to be a very, very difficult situation for them.

This part of the bill sets out the process for certification of bargaining agents by the Ontario Labour Relations Board. I'm not going to get into too much of that detail for now, but we're certainly going to hear more about that from firefighters during committee.

Getting back to this issue of not striking, as I said, historically the firefighters of Ontario have not struck. Firefighters of Ontario have successfully resolved their wage issues through the collective bargaining process. In a minority of cases, where the local municipality and the firefighters are unable to reach an agreement on remuneration, pensions or working conditions, the matter has been sent to a three-member arbitration panel for binding arbitration. Municipalities have been dissatisfied with this arrangement, as they feel that arbitrated settlements represent a sawoff — that's what arbitration means — between the two positions and that a wage settlement that divides the difference may be seen to be reasonable to the arbitrator but may be beyond the municipality's ability to pay.

Firefighters of course see binding arbitration as a reasonable tradeoff for not having the right to strike. I think we really should respect that for a group of men and women who have said, "We're not going to use the ultimate bargaining chip," especially in a case such as firefighting where people's lives are at stake. So they've never used that threat, but they've said, "For forgoing that threat, we would seek comfort in binding arbitration." I think that's a sawoff the government should accept. I think they should continue to accept that bargain with firefighters, that bargain that's never been breached. There's a trust there that up till now has always been respected by governments in Ontario of all parties, but that's stopped, unfortunately, as of now by the Mike Harris government.

Pursuant to this legislation, once certification is complete and notice of intention to bargain collectively has been given, section 53 of this bill provides that the parties must enter into a conciliation process and try to effect a collective agreement. The cost of conciliation is to be borne by all parties under this, and under section 54, if the conciliation officer is unable to effect —

Mr Bradley: On a point of order, Madam Speaker: Would the Speaker help me out on this. Could you tell me whether the time on the clock is the correct time for this speech, please? Can we confirm that's the correct time?

The Acting Speaker (Ms Marilyn Churley): What clock are you talking about? The member's speaking time?

Mr Bradley: Yes.

The Acting Speaker: Yes, I believe that is the correct time. I have no reason to believe otherwise. Do you?

Mr Bradley: Thank you. I appreciate it.

The Acting Speaker: The member for Timiskaming, continue.

Mr Ramsay: I'm very pleased that the member for St Catharines was able to verify that this is the correct time and that there only remain now six minutes to my 90-minute time allocation. I appreciate that verification by the House leader. It's one of the duties that he is paid to do by the caucus, and we appreciate that.

Mr Conway: I think it was a wakeup call for Bedrock, though.

Mr Ramsay: Maybe it was.

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In concluding on this bill, section 54 of the bill is now going to require the arbitrator to take the following factors into account when making a decision: the employer's ability to pay in light of its fiscal situation — in most cases the municipality; the extent to which services may have to be reduced if current funding and taxation levels are not increased; the economic situation in Ontario and the municipality — that's quite something to take into account; a comparison of the terms and conditions of employment and the nature of work performed by firefighters and comparable employees in the public and private sectors; and the employer's ability to attract and retain qualified firefighters.

The history of this of course is that these provisions were imported from schedule Q of Bill 26, and there we come right back full circle to where I began, that basically Bill 84 is the son of Bill 26, Bill 26 being the mother of all bully bills. So this is another bully bill. This is one of the little bully bills that respond, if you will, to Bill 26. Here it is a year later, and who are we bullying this time? We're bullying firefighters, that's who we're bullying this time, and you're certainly going to hear from them out there. This schedule Q of Bill 26, where they were demanded by municipalities to control escalating costs caused by arbitration awards — in the opinion of the firefighters, the imposition of government criteria and arbitrators constitutes a significant interference with the independence and the integrity of the arbitration process.

Madam Speaker, I think you would appreciate, as would most members of this House, that arbitration has been a respected step in the process of collective bargaining, one of the steps that are reached by parties before you would get to the point of striking. Therefore I think it's a step that should be preserved.

It's also been suggested that the ability-to-pay criterion in essence renders the arbitration process irrelevant since municipalities can use that to unilaterally determine wages by fixing a predetermined amount in their budgets and the arbitrators will be used by municipalities as a buffer to escape responsibility for these decisions.

Firefighters are also concerned that the requirement that the arbitrators consider the extent to which the services have to be reduced in effect encourages arbitrators to make awards that require employees to subsidize the maintenance of current levels of service through substandard wages.

I think we're seeing through this bill a total erosion of the wages and benefits that firefighters have fought for over these years, that firefighters have fought for without ever the threat of strike. Again, to put it in that context, it's important to appreciate the respect firefighters have for their employer and the citizens of Ontario, that they have never used the threat of strike, because obviously for a firefighter it would be a threat of tremendous significance, maybe, compared to somebody who produces a product. That is why they have taken that with the utmost care, that they've never used the threat of the

loss of life, because that's what they would be threatening, potentially, if they ever threatened to strike, and they never have.

Through that agreement they have been awarded the rights of certain steps of collective agreements, and those steps are important to them. They have respected the right of government and citizens to have fire protection 24 hours a day, 365 days a year, and they have never asked for more than to be respected in kind, to be able to sit down with their employer across the table to negotiate their hours of work, negotiate their pay, negotiate their pensions like any other workers in this province can or would want to do if they are organized.

I think the government has got to rethink this aspect of the bill. It's quiet now, but when you see the welling up of emotion and rhetoric not only from firefighters, not only from firefighting families but from the general citizenry of this province, I think you're going to be surprised, and sadly, you shouldn't be, because you as representatives, as I am, of constituencies should, more than anyone else, appreciate that these men and women lay down their lives for us every day and that they're held in such high esteem in our communities.

For you to slap this son of Bill 26 on the table, insult their integrity, breach the faith and trust they have had in the people of Ontario through this no-strike provision is wrong and it's got to be repealed. I ask you to repeal it soon. In fact, if you repealed it we could get all-party agreement on this bill and we could pass the very good aspects of this bill. It would give us some time to work on the labour relations aspects. They said they'd be willing to work this out, and I'd ask you to do that.

The Acting Speaker: Questions or comments?

Mr Bisson: I listened intently to the 90-minute dissertation by the member for Timiskaming, whatever the new riding will be called in the next election. I agree with him that there are many people in the province who are really upset about what this legislation has to say. I have here letters from about 100 residents from within the constituency of Cochrane South who I think echoed much of what the member had to say. I'd like to share with the member some of these and I would like to know if he heard similar things from residents in his riding. I have here a letter from Rhoda Dedock that reads:

"As a constituent in your riding and reviewing Bill 84, with this legislation the bargaining rights for firefighters and my safety and the safety of all of us will demise. Please inform me of" when this is going to go on and try to stop this attack on firefighters. That was just one comment from one person in my riding.

I have another letter here, one of about 100, that says he has gone through this bill, "The passing of this bill will greatly affect the safety of the general public in this province," and he asks me and Mr Hampton to do what we can to stop this bill. It's signed by André Lajeunesse. Here I don't have the time, but I've got some 100 letters.

To the member for Timiskaming, you certainly would have gotten similar letters from people within your riding, and also as critic. Why are the government members not standing up in this House and talking about some of the comments that people from across Ontario have certainly written to their ridings, about letters they would have

received as backbench members of the government? I, as the member for Cochrane South, was approached by many firefighters in my constituency, as I imagine you were within your constituency of Timiskaming. They tell me they've urged firefighters in other parts of the province, where there are Conservative members, to speak to them and I'm sure they have been asked not to pass part IX of the bill. I'd be interested to know just how much public outcry the member for Timiskaming has heard against part IX of this bill, and obviously you would support our move as NDPers to stop —

The Acting Speaker: Thank you. Further questions or comments?

Mr Ford: I listened to the talk across the floor and the member for Timiskaming. I listened to the other chap here saying he had some community with 100 people. I'm talking about communities all over Ontario: North York, which has 600,000 people; East York, which has 100,000 people, Scarborough with 400,000 people; Collingwood and various other cities all over northern Ontario, and I've got numerous letters supporting the fire department. These are all fire chiefs and regional chairmen and a regional fire chiefs association:

"The association unanimously voted to support you and your government in moving forward with the changes outlined in the bill presented in the Legislature this past month. We would encourage the government to proceed with the second and third reading as soon as possible. This will enable fire service to move forward with these much-needed tools to better service the public."

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You have to commend all these volunteer fire departments across Ontario, the hundreds of them, north, south, east and west. These are the people who want these changes and they want service. I'll give you a little idea here.

The member for Kingston and The Islands spoke about collective bargaining rights. Bill 84 does not take away firefighters' collective bargaining rights; it supports them. The bill updates the 50-year-old arbitration procedures to bring them more in line with other Ontario workers. We have actually added a conciliation procedure to increase the chances of negotiated settlements.

The Acting Speaker: The member's time has expired.

Mr Bisson: On a point of order: The member opposite referred to Collingwood as northern Ontario. I believe it is not in northern Ontario.

The Acting Speaker: That is not a point of order. Thank you very much. I would ask all members, before we continue, to try not to raise points of order during two-minute responses unless you absolutely have to because it interferes with a member's time. When it's only two minutes it's a problem.

M. Jean-Marc Lalonde (Prescott et Russell) : Tout d'abord je dois féliciter mon collègue de Timiskaming, qui vient de nous énumérer les points dans le projet de loi qui pourraient mettre en danger la vie de nos citoyens et citoyennes de l'Ontario. Pourtant, on peut lire le titre du projet de loi 84 comme Loi visant à promouvoir la prévention des incendies et la sécurité publique. Je crois qu'on aurait pu avoir comme titre Loi visant à réduire le

coût des services d'incendie et mettre en danger la vie et la sécurité de nos citoyens et citoyennes de l'Ontario.

D'après mon interprétation ainsi que de plusieurs autres membres de cette Assemblée, nous voulons manipuler la sécurité de nos citoyens. Tout le monde est d'accord avec le but de faire des coupures, mais lorsqu'il s'agit de coupures non justifiées, comme celle-ci, je crois que nous sommes vraiment en danger.

D'après le contenu de ce projet de loi, nous allons faire de l'ingérence envers nos municipalités. Nous allons dicter les heures de travail des pompiers. Ainsi, nous allons au point de dire le cadre de travail que nos pompiers devront faire. Ceci est à la page 33 de ce projet de loi.

Toujours selon la capacité financière des municipalités, nous pouvons dire : «Si notre municipalité n'a pas la capacité financière, nous pouvons réduire le service d'incendie qui doit être desservi par nos pompiers dans les municipalités.»

Le gouvernement sait que tous les changements apportés depuis l'adoption de la Loi 26 vont entraîner des dépenses additionnelles aux municipalités. Donc, pour raccorder les deux bouts après toutes ces coupures que nous apportons et après toutes les dépenses que les municipalités devront encourir, nous devons procéder avec des coupures à la sécurité.

Mr Martin: I want to commend the member for Timiskaming for his comments tonight. I notice that he spent a fair bit of time talking about that very delicate relationship between employer and employee and some of the changes to employment standards that are included in this bill and the ramifications they will have re firefighters getting a good deal and continuing to feel appreciated and comfortable in their relations with their employers.

When you put this piece of legislation in the context of all the other anti-labour legislation that this government has brought forward, you may begin to more fully understand the anxiety firefighters have around the question of not having the right to strike. When you're in a relationship with a good employer you don't worry about that. Indeed, in this instance that particular provision was always negotiated away because there was never any fear that they were going to be dealt with in an unfair manner or taken advantage of.

When you look at what this government is about to do — turn the responsibility for firefighting over to municipalities, with the limited resources they have to pay for that and do the kind of job that I think we all expect, and the possibility of some of that being turned over to the private sector — you begin to understand even more fully why these folks fight not only for themselves in terms of what they get by way of payment for the very difficult job they do but for the value of that job re the community.

We should all be concerned if there's a relationship between such a valuable group of people and an employer that would put the community in jeopardy. That's why this right to strike is so very important in these very difficult times and down the road, as firefighters realize the new reality coming at them. I want to commend the member again for raising those points.

The Acting Speaker: The member for Timiskaming, you can sum up.

Mr Ramsay: I appreciate the comments of the members for Cochrane South, Etobicoke-Humber, Prescott and Russell and Sault Ste Marie after I spoke. I must say to anybody who is watching right now on television that I'm really delighted by the number of people in the House this evening. It is an excellent attendance and shows that democracy is alive and well. The minister is here too. He's been listening very intently and should be applauded for listening to the opposition speeches especially.

I have a newsletter called the Federation News from the professional firefighters' federation here in Ontario. What's very interesting is the middle page, saying that this government is on target, and they have a familiar picture of the Premier on the target. If you visit your neighbourhood firehall you will probably see this Mike Harris dartboard up in the firehall. They think the government is not on target, and I would say they are right.

Our duty here, as our House leader, the member for St Catharines, has asked the government House leader, is to continue to push until we get that motion through this House that we have public hearings right across this province. We need to get into all the municipalities and areas of this province to hear from firefighters, their families and the people of Ontario how much they are against this bill and how we can make it better.

2330

The Acting Speaker: Further debate?

Mr Christopherson: I appreciate the opportunity to join in the debate. I had a chance to comment very briefly much earlier on in a two-minute response with regard to the consultation or lack thereof, and I had a moment to go over and be clear on exactly what the Solicitor General said when he introduced the bill today for second reading. I don't have benefit of Hansard in front of me so I am paraphrasing, but he said that there had been extensive consultation and what he didn't know, for reasons not known to this government, was why there hadn't been an act tabled before.

Let me just say to him that if there was any chance at all that a reasonable, fair, balanced response to this government's Bill 84 were possible because it had indeed given fair opportunity for consultation, we would not have had thousands of firefighters on the front lawn of the Legislature. That's not rhetoric from the opposition benches; that happened. They were out there. They were out there because you broke your promise.

This government promised directly — and not even from the now Solicitor General; it's from the now Premier, who said very directly to firefighters, and it's on video to be seen by all, and I'm sure it's being played at every local firefighter meeting across the province, who promised that a Mike Harris government would consult with firefighters before any legislation was tabled that would affect them. Well, it didn't happen.

The firefighters in this province did not know what was in Bill 84 in terms of what was taken away from them in terms of their bargaining rights. As we all know — anybody who has followed this issue knows — there has never been proper, full resolution to the issue of labour relations within the existing fire legislation, and that's why the Fire Services Review Committee took as much time as it did, took as much care as it did. Because

there wasn't any resolution, those firefighters had every reason to believe that this government would indeed consult with them, at least advise them; even if you wouldn't honour your commitment and consult, at the very least you'd give them fair warning of what you were planning to do, show them a draft bill, something.

But no, you dropped Bill 84 on the floor of this Legislature, and once again, as we've seen before in anything to do with labour relations, you drop the bill and off go the bombs, for the simple reason that you're taking rights away from people, and time and time again it's rights that you didn't talk about in the Common Sense Revolution. There's nothing in print in that document. You didn't talk about it on the campaign trail. You waited till you had power, and then when you had a majority where you could ram through whatever you wanted, then you started dropping the legislation on the floor of this House that took away right after right after right of working people, union and non-union, injured and able-bodied, across the board.

Firefighters responded in the one way that people in a democracy have that so far you haven't been able to take away from them, although you sure have tried, and that is, they demonstrated publicly. That's not the way of firefighters. They don't do that lightly. They very much see themselves as public servants, there to put their skills and their talents at the disposal of the public when we need them, in the kind of life-and-death emergencies when we need to be able to count on them, when they put their very health and lives and future on the line. That always sounds like rhetoric, and I guess to a degree it is, but none the less it's the truth.

When people like that feel they have absolutely no choice but to come out in front of the Legislature and demonstrate, it's a powerful message, just as it ought to be a powerful message to this government when a couple of hundred thousand other people you've shafted in other legislation took to the streets not only here in Toronto but all across Ontario, and continue to do so, because, unlike this government, they do happen to believe in democracy, and they're expressing themselves through their democratic right.

I would support very much the fact that firefighters were more than justified in responding the way they did. Let's take a look. I have but half an hour, but in that half-hour I want to point out a couple of the areas where I think there's more than enough justification.

Interjection.

Mr Christopherson: I realize that the member from Bedrock woke up again and that he may not be happy with this sort of thing. He's on his feet now. Is he going to say something?

The Acting Speaker: Member for Hamilton Centre, take your seat.

Mr Hastings: On a point of order, Madam Speaker: I don't mind taking lots of criticism. In fact, the member for St Catharines the other day and the member for Algoma not too many days ago pointed out that members in this House ought to be addressed by the riding which they're from. I would appreciate it if the member for Hamilton Centre would at least know where we come

from: Etobicoke-Rexdale, member for Hamilton Centre. Wake up.

The Acting Speaker: Take your seat for a moment. The member for Etobicoke-Rexdale has a point. I would remind all members to refer to each other not by name or not by some kind of made-up name but by the riding from which they come. Thank you.

Mr Christopherson: Let me just say that since I didn't specifically point to any particular member, it's rather obvious that he does know of whom I'm speaking. If that has upset you —

The Acting Speaker: Member for Hamilton Centre, take your seat, please. I'd remind the member again that even if he didn't refer specifically to a particular member, it is imperative that he refer to members by the riding they come from.

Mr Christopherson: Yabba-dabba-do. Let's get on with it.

Why are the firefighters as upset as they are? Now that I have the member's attention, I'll go on to explain to him why the firefighters are so angry with him and the rest of his caucus. Let's just pick an issue. Let's start with the right to strike, which is one that seems to have some support from people, because it does seem to make sense that one would ban the right to strike in an area of such critical importance to this province. But what's not spoken of by the government is the fact that, to the best of my knowledge, and I stand to be corrected — I don't have all my former ministerial briefing notes, but if memory serves me right — it was a Tory government that for four decades felt that the honour and integrity of the constitution the two major firefighter unions had in this province was enough to give the kind of guarantee the people of Ontario need. That's what former Ontario Progressive Conservative governments thought. Clearly the Liberal government supported that; the NDP supported that.

It's only this hard, neo-con, far-right-wing, Reform-a-Tory Mike Harris government that feels it's necessary to insult the thousands of professional firefighters in this province by saying, "We're going to put it in the legislation anyway." You know why? It's because they're unions. It doesn't matter who they are, if they've got that label on their forehead, you're going after them.

I'll say this to the government: If one of those firefighter groups had changed their constitution and changed the fact that their position was, "We will not strike," then I could see the government standing back and thinking about it for a minute and saying, "We've got some concerns about this." I think that would be fair, and I think the firefighters would know that they were pushing a democratically elected government too far to take that stand. But no such thing happened; not one murmur anywhere in the province. You decided arbitrarily when you thought about the fact that they're unions and therefore they're the enemy and you've got to go after them every way you can. This is one more area where you were going to strip away their dignity and strip away their rights.

Did you talk about that in the Common Sense Revolution? Is that on Mike Harris's tape when he spoke to the conventions before the last provincial election? No. No,

you waited till you were in here, put it in Bill 84, your sneak attack, and dropped it on the floor of the Legislature. That's the first time we ever heard that was on the line.

Did you tell firefighters or the public that you were planning to change the legislation to allow for the privatization of firefighter services? No. There's not a word of that in the Common Sense Revolution. You didn't talk about that in the overall provincial campaign, and I'll bet not one of you talked about it in your ridings. **2340**

It is now possible, under this legislation, that we could see privatized fire services in Ontario, because if you simply apply the measurement that I think you're planning to use — and we don't know what it is because you haven't made it all public yet — but clearly there has to be the ability to sell a service to someone who can make a profit. That's part of it. Sure, you've got a great opportunity here. There's a nice service that you can sell to one of your pals. You think that's not going to happen, folks? Then why would this government change the legislation to allow for it to happen?

Of course, they're providing for it. They're providing for it because it fits what they think Ontario ought to look like; not what the majority thinks, because that's not in the Common Sense Revolution. "We will make it possible to privatize fire services" — not in the Common Sense Revolution.

But I'll bet you that based on a lot of the lobbying that's going on in the Tory back benches, some of you are pretty worried, because firefighters are very respected in all of our communities. As you start to move to privatize, and I believe you will — just like every other piece of enabling legislation you've given yourself, you've moved into that area — I think you're going to see a tremendous response from the people of Ontario as they say, "Wait a minute." Any concept of a privatized fire service, no matter how much money can be saved by reducing wages of firefighters or reducing the amount of training they have and the other means that the private sector applies when they get public services in their grip, is not acceptable to the people of Ontario. That's not a tradeoff they want.

What do the firefighters say about that? This is not new. Guess where it's been tried before, a place this government just loves: south of the border. Americans have already tried it. Alfred Whitehead, who was at the demonstration here, where I was, and my party leader, Howard Hampton, was there speaking to those firefighters, sticking up for them —

Mr Spina: Stirring up shit.

Mr Conway: I heard it but I will not repeat it.

Mr Christopherson: And it's the guy who just won't learn, you know? You've got enough trouble. I'm not going to do it to you. You've got more than enough trouble. You don't need this being — but think about it, man. Think about what you're saying.

Mr Derwyn Shea (High Park-Swansea): Thanks, David.

Mr Christopherson: You're welcome.

Alfred Whitehead, general president of the 225,000-member International Association of Fire Fighters, was

here to be with his sisters and brothers in front of this Legislature protesting Bill 84, and what did he say? He said with regard to the provisions of the bill that would allow communities to privatize fire departments: "While it is not prevalent in Canada, privatization of fire departments has been tried in a number of communities in the United States, and it has proved to be an abysmal failure. Privatization ends up costing more than a municipal fire department."

He committed himself to supporting the fight here because he knows what a disaster that is. Yes, it's a disaster for his members, absolutely, and that's why he's speaking out, but firefighters, like most professionals in this province, have not considered only themselves, not when we're talking about the life and death and safety of citizens.

If you do privatize, you can bet that the two things that will be paid for, the things that will pay that price, are reduced wages and benefits to firefighters and reduced service to the communities — guaranteed to happen if you privatize fire services in Ontario.

What does Bruce Carpenter, president of the Provincial Federation of Fire Fighters, have to say about your bill? "This bill jeopardizes the safety of both the public and our members. It would set Ontario fire service back 75 years."

What does Jim Lee, president of the Ontario Professional Fire Fighters Association, say? "The price of the so-called cost-cutting measures contained in this bill may be measured in human lives and higher insurance rates for our citizens." For the record, that's the response of the leaders of the two professional firefighting services in Ontario.

One of the reasons that so much time was taken with the Fire Services Review Committee was to try to fashion a single piece of firefighting legislation that all of the stakeholders could buy into, that would avoid the kind of polarization that you have now replicated in the fire services, as you've done in education and health care and everywhere else that you've decided to stick your cost-cutting knife; that same polarization. We tried so hard to avoid that.

But I must say two things with regard to the process and what this government has done with it. One, I'm not surprised in the least that this government has run roughshod over the firefighters in bringing in this legislation. It's typical; it fits your track record; it's consistent with everything you've ever done that has to do with labour relations in Ontario, no matter who they are. I remember the police showing up at the Bill 26 hearings. Their major presentation was done right in my community of Hamilton — the room was full — and it was based on the labour relations aspect of Bill 26 and what you were doing to police officers, and firefighters for that matter. But now under this bill you've gone after firefighters.

You've gone after everybody, everybody except your pals, and your pals you're taking real good care of. They've got to be real happy. We sure don't hear a lot of criticism out there from the well-to-do in this province, do we? Don't hear an awful lot out there. I don't know what they're telling you in the back room, but boy,

they're not making many waves out in the public. But everybody else is. Everybody who has to earn a wage for a living is out there. Anybody who needs the kind of support services that we've built in this province over decades of caring and sharing and building — they're all outside complaining.

But not the well-to-do, not your pals, not the ones who are getting the \$6 billion you're giving back from injured workers; not the \$5 billion every year you're giving back from the tax cut; not the benefits you're going to give the well-to-do in terms of the changes you're making to the health care system, because they've got the bucks to buy what you're going to make sure they can. The same with the education system. You're going after them all. You're going after all the people who don't already have, but your friends are nice and happy.

In this case you've taken care of AMO's concerns, and you've certainly taken care of the fire chiefs' concerns, and these are important stakeholders, but it doesn't surprise me a bit that at the end of the day Mike Harris and his government gave the back of their hand to firefighters and their collective bargaining rights, because that's so consistent with the way you do things, so consistent with what you've done in terms of the ongoing, relentless attack on working people and their representatives.

I'll bet there's an awful lot of — I know there are — a lot of firefighters are out there going: "But I didn't think this was going to happen to us. I listened to what they said and who they were going to go after. I liked some of it and I didn't like other parts, but I thought I was okay." That's why, in large part, I think a lot of firefighters voted for your government. I have no doubt about that. But there's an awful lot of them out there who are scratching their heads saying: "How could they do this to me? I had a promise from Mike Harris. I didn't see them going after me."

I say to firefighters and anybody else who's left out there who thinks that your day isn't coming, it is. Go and talk to teachers, nurses, now firefighters, police officers, anybody out there who's already been hit by this government, and there's an awful lot of them who thought, "Oh, it wouldn't happen to me." Well, there's still \$3 billion to go, and then some, if you listen to the bond rating agency, the Dominion Bond Rating Service, in terms of more billions. As that becomes necessary, they're going to go after more and more and more. And it's not going to happen to their friends. They're going to take real good care of their friends, just as they've done so far.

What else does Bill 84 do? Why are the firefighters so riled? This one perplexes me a bit, I have to admit. I don't fully understand this, and I've read a legal interpretation of it. It doesn't seem to fit any category, other than you want to make sure that firefighters can't put pension rights on the bargaining table.

2350

You say in subsections 52(2), (3) and (4) that a collective agreement cannot provide a pension benefit greater than that determined by the minister, and that seems pretty ironclad in terms of the bill. So you've taken away the right of firefighters to negotiate any pension benefits beyond what the minister — and it's not

the Solicitor General and Minister of Correctional Services even; it's not even that minister. The bill gives that power to the Minister of Municipal Affairs and Housing, and whatever he or she determines can't be negotiated beyond by the firefighter unions. I would say to an awful lot of other unions out there that they ought to be paying particular attention to this and worrying about what it means for them in the future, because that's the first time I think we've seen anything like that in this area. But there it is, and if the government can explain it away when we get on the road, so be it, but I can assure them they're going to be asked about it.

They've also taken away the right of firefighters to negotiate their hours of work and it seems to be rather all-encompassing. Section 52 takes away the right to negotiate hours of work. As a rule, hours of work are one of the most important quality-of-worklife issues that are negotiated by unions and their management, yet in here it's taken away from the firefighters in terms of what they can do. Again, exactly why that is I don't know. I'm sure we're going to hear perhaps safety reasons, but I don't know.

It'll be interesting to hear what does come out when we get into public hearings, but there will need to be some very clear and credible answers around why this was done. Certainly I would argue at first blush one of the reasons is it starts again to water down the effectiveness of unions, and the more you can eat away at what unions do maybe you're hoping the less and less the average worker will want to belong to a union and thereby achieve your ultimate goal of a union-free Ontario. That must keep you awake at night, thinking about that kind of fantasyland.

Another of the key issues that will be talked about and one of the reasons why you had thousands of firefighters on the front lawn is the whole issue of exclusion from the bargaining unit. Again, having dealt with this issue myself for a number of years, I understand the sensitivities on the part of particularly the fire chiefs, as the CEOs, if you will, of the fire services, and what their concerns were. But this government doesn't seem to have any interest in wanting to negotiate that with the unions or talk with them or meet with them further to nail down these final pieces in a way that everyone can live with. Oh, no, you're not interested in that.

That's again why you just snuck a lot of this stuff in here and dropped it in here, Bill 84, on the floor of the House, and the unions didn't even know it was coming. You've just given an arbitrary ability for the chiefs to designate, based on a formula, certain people who are outside the collective agreement. Well, that is a major issue with a lot of the firefighters, not the least of which is that there are an awful lot of high-seniority firefighters in relatively senior positions who also hold senior positions in the union.

That's one of the reasons why the Fire Services Review Committee — and I know; I was there — why that issue was taken so seriously by the previous government. That was seen, and for good reason, as a possible direct attack on the ability of the union to function in terms of their elected leadership. I grant you, this had the firefighters sort of out of step with the rest of the world,

but we still have one of, if not the, best firefighting services in the entire world. There was no need, in my opinion, to rush through that issue and to set aside those labour relations issues the way you have.

But you're comfortable with that. Again, I'm not surprised. You're comfortable with just saying: "Oh, well, it's only labour relations issues. What does management want?" — boom, boom, boom — "Let's solve that problem, let's introduce the bill." That certainly seems to be what happened, particularly when you talk about the opportunity for the firefighters' unions to sit down and bargain and negotiate these issues as close as one can to a final resolve.

There are some other concerns in the few minutes I have left that again will come up in the public hearings. There is not a lot of clear language in subsection 41(4) about what happens to existing collective agreements based on some of the changes that are in here. A lot of the backup mechanisms, the enforcement mechanisms that one usually has in labour law, are not contained in your Bill 84. It may be that you're planning to amend those but, if that's what you do, it does speak to the fact that you rushed forward. Maybe if you'd shown this bill to others beforehand you wouldn't have had these questions, but they're there.

In a lot of the issues around potential amalgamation, especially as you change regional and local governments, the whole question of firefighting is going to be front and centre. The question of what happens to these collective agreements and who has precedence and top priority and responsibility at the end of the day, particularly if you've got the two different firefighter organizations, is very unclear. It's not resolved at all.

Those are major issues for those firefighters. They're two very proud organizations, and rightfully so, and they're quite dismayed that you haven't made it clear. If you don't make it clear in final amendment, then you must deliberately want it left that way and you maybe want them battling or you want them caught up forever in the courts or in the arbitration system. I don't know. They don't know either, and they're very concerned about these things, so I would hope that the Solicitor General will ensure that, in his opening remarks and as we move across the province, these questions are answered because the firefighters are entitled to answers around those areas.

I've got a couple of minutes left. I want to say that I expect that any of the backbench Tories who haven't yet had the privilege and happy moment of meeting with angry firefighters in their own community can expect that to happen. I see a couple of them telling me, yes, they've had that experience. Those who haven't, it's coming, although I suspect that —

Mr Toby Barrett (Norfolk): They're not angry.

Mr Christopherson: Who said, "They're not angry"? Which community aren't they angry in? Which one is that?

Mr Barrett: In Norfolk. They're all volunteers.

Mr Christopherson: Norfolk, oh, they're all volunteers.

Mr Barrett: What's wrong with that?

Mr Christopherson: Well, we'll see how happy even they are at the end of the day. You don't represent any professional firefighters at all so you get off scot-free on this one, is that the idea? You don't have to worry about a thing.

The only reason I imagine some of you, if you haven't yet had anyone come in, is that they're all backed up waiting in line because of all the other groups that want to get at you for what you're doing to them. From what I hear, everybody wants to get a piece of you backbenchers in particular and demand to know why it is you can stand behind this ridiculous agenda that's hurting so many people and you're not standing up for your own communities.

As I've said from the beginning of your government, as time goes on and you get closer and closer to the election, you will, particularly those of you who haven't yet realized you're never going to see the inside of the cabinet room unless there's a public tour, see that the only thing that matters to you is, "What do my constituents think about what I've been a part of?" You're going to be worrying more and more and more about how you're going to convince people going door to door that what you did was good for them, because you can't block out the angry citizens once the election is called. You can control who you talk with when you're in office, you can control who comes in to see you in your constituency office, but eventually those tens of thousands of people that you've gone after will get their chance to go after you.

I would urge each of you to think about that in terms of the firefighters and the impact they're going to have in your community and how you're going to answer questions to them in public meetings that will be happening as you contemplate going around the province and being on this committee. You've got an opportunity to make good on your promise to the extent that you'll at least treat firefighters with respect and dignity and honesty. You haven't done that yet. You backbenchers have the power to do that when we deal with amendments and when we go into community after community and in your responses to those firefighters.

Instead of just giving them the pat party answer, show them that you're listening, show them that you care, show them that you respect their rights, that you respect the fact that they have a legitimate argument, that they've had rights taken away from them that nobody talked about in the election campaign. If you do that, then you've got a chance to offset some of the damage that Mike Harris and the Solicitor General have done to this government's reputation in the eyes of firefighters all across Ontario.

The Acting Speaker: It being almost 12 of the clock, this House stands adjourned until tomorrow at 1:30. Good night.

The House adjourned at 2400.

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Tuesday 10 December 1996

Mardi 10 décembre 1996

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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 10 December 1996

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 10 décembre 1996

*The House met at 1332.
Prayers.*

MEMBERS' STATEMENTS

MUNICIPAL RESTRUCTURING

Mr Pat Hoy (Essex-Kent): As I scanned my copy of the Chatham Daily News on Saturday, I noticed the headline "Provincial Bullying Insults Local Leaders."

On December 5, Al Leach, through an area representative, announced that the municipalities in Kent county had until January 2 to come up with a restructuring agreement. If one was not in place by January 2, Leach was going to call in the restructuring commissioner.

This means that the local municipalities have 17 working days to come up with an agreement, 17 days to go over all the options and seek out new ones, 17 days to wade through the scores of figures and opinions. When does the minister choose to give his ultimatum? At the busiest time of year. Anyone who has ever spent time in a municipal office knows how busy it can be during this time of year.

When the minister set this artificial deadline, the Crombie report had not been released and the municipalities still had not had a chance to absorb the report. Time is running out for them. They better get busy. The minister is aching to use the power that he gave himself in Bill 26 last year. He has set an unwieldy deadline so that he would have the opportunity to make an example of these municipalities. He can bully them and he will. Municipalities beware. The minister will get his way.

EDUCATION FINANCING

Ms Frances Lankin (Beaches-Woodbine): Mr Speaker, you will be aware that last Wednesday parents across the province joined together in community after community to visit the constituency offices of their members of provincial Parliament. The goal of this was to send a message to the government, in particular to the Minister of Education and Training. That message was that parents in fact are concerned.

Day after day when the minister stands and responds to questions of concern about what's happening in the school system that are raised by our critic, the member for Algoma, and Howard Hampton, the leader of our party, we hear the same response from the Minister of Education and Training, which is: "Everything's fine. We're going to do better for less. These changes that we're making, the cuts, are not affecting the classroom."

Hundreds of parents in the city of Toronto I know were involved and there were many who came to my constituency office. I have letters here they delivered to

me, which I'm going to be sending over to the Minister of Education, from parents at Williamson Road Public School, at Earl Haig Public School, at Glen Ames, at Gledhill, at Bowmore, at Gabrielle-Roy — many. I have quite powerful letters that parents have written with pictures of their children attached in which they talk about their concerns about what's happening in the classroom, the overcrowding, the lack of quality education that their kids are receiving as a result of the cuts of the Harris government.

THORNBRAE THUMPERS

Mr Trevor Pettit (Hamilton Mountain): I'd like to take the opportunity today to congratulate Thornbrae Elementary School, a school in my constituency high atop Hamilton Mountain, on the fantastic success of their swim team. The Thornbrae Thumpers swim team capped off a terrific season by winning the Hamilton elementary school A division girls' championship and the Alex McFarlane trophy for the overall A division championships. The team repeated last year's efforts and has now won three consecutive girls' championships and two overall championships. The team is coached by members of Thornbrae's teaching staff, Mr Doug Ho, Mrs Darlene Smith and Mrs Linda Kruttek.

With the support of generations of Hamilton teachers and physical education administrators within the board, the Hamilton meet is now into its 65th year and has the distinction of being the oldest swim meet for elementary schools in North America.

I would like to name the top three finishers in this year's meet: Billy Kwan, winner of the boy's 25-metre freestyle; Karley McInnis, winner of the girls' 25-metre freestyle; Jennifer Kennedy, girls' 25-metre freestyle; Jamie Smith, Stephanie McKay, Jennifer Kennedy and Courtney Smith, winners of the girls' 100-metre relay; Jamie Smith, once again, for coming in second in the girls' 25-metre freestyle; Courtney Smith, second in the girls' 25-metre freestyle; Stephanie McKay, second in the girls' 25-metre freestyle; Kelly Swan, Heather Gillem, Ashley Grodecki, Katie Pagett, second in the girls' 100-metre relay; Courtney Smith and Jamie Smith, second in the girls' 25-metre backstroke; and last but not least, Billy Kwan, Shawn Napper, Bobby Thompson and Josh Downer, third in the boys' 100-metre relay.

Congratulations to you, your coaches, principal Dave Rogers and all your supporters at Thornbrae.

DISCLOSURE OF CONFIDENTIAL INFORMATION

Mr Joseph Cordiano (Lawrence): In the last few days in this House we have witnessed some truly disturb-

ing developments over the resignation of the Minister of Health. Even more disturbing are all of the unanswered questions surrounding this scandal.

I can only describe it as a scandal in the making because what we did not hear from the Deputy Premier the day he answered questions, yesterday, around this matter is that he did not answer who knew what when, and who got what information at what time and how far this extends. How many people have access to sensitive information that they should not have? What breach of confidentiality extends to them? How far does this reach into the Premier's office? Did the Premier and his staff know about this information having been leaked out to others who were not supposed to have this information?

These questions are serious. This matter is serious. This is a matter that every single backbencher on the government side should be keenly aware of. It's a matter that all your constituents will want to know, what in fact you've done to make certain that their sensitive health records were not in the hands of those they should not be in and what illegal acts have been performed —

The Speaker (Hon Chris Stockwell): Member for Lawrence, thank you very much.

MUNICIPAL RESTRUCTURING

Mr Floyd Laughren (Nickel Belt): The Harris government is hurting the north yet again if the recommendations in the Crombie report are implemented. Northern unorganized communities will be consolidated into a large, district-wide, single-tier body which would ultimately create a monstrous government.

The Tories talk about creating smaller government; the Crombie report does the exact opposite. It would leave the north with a huge bureaucratic government servicing vast regions. For my riding, this would create a district stretching from the French River to beyond Chapleau. Harris is foisting big government on small towns and giving then neither option nor voice nor choice.

Constituents living in unorganized townships will experience an exorbitant increase in taxes if the districts are allowed to tax like municipalities. Crombie wants to move towards implementing a provincial land system to pay for these services, but what services are these largely remote and very small communities receiving?

The Crombie report will ultimately create an expensive, unworkable and bureaucratic north, this coming from a government that professes to want smaller and less bureaucratic government. Some advice to Mr Crombie: Go north, Mr Crombie. Go north and see for yourself.

1340

WOMEN'S WORLD HOCKEY CHAMPIONSHIP

Mr Jim Brown (Scarborough West): Yesterday, at the Hockey Hall of Fame, Don Cherry, Ron McLean, Mayor Hazel McCallion and Fran Rider of the Ontario Women's Hockey Association held a press conference to promote the Women's World Hockey Championship in Kitchener from March 31 to April 6, 1997.

Canada's national women's hockey team has won gold championships in 1990, 1992 and 1994. Women's hockey is now an Olympic sport and the world championship is

a prelude to the 1998 Olympics in Japan where we'll go for the gold.

Women's hockey is the fastest-growing sport in Canada. Girls who could only watch their brothers play some 15 years ago now are often better than their brothers.

I urge all members to support women's hockey at the grass-roots or championship level. The 1997 women's world championships will be held in centres all over central and southern Ontario: Hamilton, Mississauga, London, Brampton, North York, and of course Kitchener.

Isn't it justice, finally, that 52% of our population, females, have an opportunity to play our national game, and isn't it great that Canada's women's hockey team continues to be the best in the world.

DISCLOSURE OF CONFIDENTIAL INFORMATION

Ms Annamarie Castrilli (Downsview): In the wake of the so-called stepping aside of the former Minister of Health, let's be clear this doesn't end the matter. This government has shown itself over the last year and a half to be incredible bullies and not interested in the public interest.

May I remind you that the Legislature's Freedom of Information and Protection of Privacy Act specifically says that confidential information is not to be released unless there is a request by the individual who is affected, unless there are compelling circumstances affecting the health and safety of an individual and unless the specific information is collected for the purpose of creating a record available to the public. None of those circumstances existed here.

But the government decided that wasn't good enough, and so we have Bill 26, which circumvents the privacy act to give the Minister of Health incredible powers to do as he wishes, to require confidential records, to release them at will. That isn't just a matter for the Ontario Medical Association and the individual doctor involved, and the fact that this government is trying to bully the doctors into a negotiation; it is a matter for every citizen of Ontario to be concerned about because, ladies and gentlemen, it could be your record, it could be my record, it could be our children's records that are used by this minister at will for whatever purpose he so chooses. The government must call an all-party inquiry immediately.

HOMELESSNESS

Mr Rosario Marchese (Fort York): It has been approximately four months since the coroner's jury into three homeless deaths in Toronto released their recommendations. The members of the jury concluded that future homeless deaths can be prevented with concerted action by the government and the community in partnership.

One key recommendation calls for more affordable housing that is desperately needed. The minister has provided no commitment that he will take up the jury's recommendations. Last Thursday coalition members again went to the minister's office to deliver the same recom-

mendations. Security blocked this peaceful group of homeless people and their advocates.

In early October I asked the minister about his plans to implement the recommendations. He apparently believes that housing has nothing to do with homelessness and passed the question to his colleague the Minister of Community and Social Services.

The government has been cutting funding for housing and community supports from the moment that it came to office in 1995, abandoning homeless children, women and men. More homeless people are dying at an alarming rate.

The coroner's jury gave the government of Ontario and other authorities six months to implement their recommendations. Two thirds of that time has passed. Homeless people are continuing to die because the government refuses to take the practical and effective steps to end homelessness in our communities.

INTERNATIONAL HUMAN RIGHTS DAY

Mr Garry J. Guzzo (Ottawa-Rideau): I'm pleased to rise today in honour of International Human Rights Day.

On this day 48 years ago, members of the fledgling United Nations joined together in the spirit of hope and goodwill, and with a belief in the rights of all people to dignity, respect and equality, to adopt the Universal Declaration of Human Rights.

As Ontarians mark the signing of this historic document, we can be proud that its fundamental principles are entrenched in our own Ontario Human Rights Code. Under the code, discrimination is unequivocally against the law of Ontario.

This government believes with deep conviction that discrimination should be addressed decisively and promptly. I'm pleased to report that last May the Ontario Human Rights Commission, the body responsible for enforcing the code, moved ahead to implement the last phase of a major restructuring to improve efficiency and increase front-line support to commission clients. The government points with satisfaction to the appointment of Keith Norton as chief commissioner.

Our commitment to human rights reform is but one component of Ontario's equal opportunity plan. This government's approach to equal opportunity encourages everyone to work as partners to remove barriers to advancement. The Minister of Citizenship, Culture and Recreation recently opened Ontario's new equal opportunity website, another key component to the plan. More than 125 businesses, associations and community groups have joined with us to tap the power of the information highway to support employers and employees in making equal opportunity a reality.

ORAL QUESTIONS

DISCLOSURE OF CONFIDENTIAL INFORMATION

Mr Dalton McGuinty (Leader of the Opposition): My question is to the Premier. On Friday a senior aide to your Minister of Health resigned in disgrace when he was

caught releasing confidential information about a doctor. Yesterday, your minister resigned over the same issue. He left this House and his ministry before we could ask him some questions. He didn't give us an accounting, and I want to take advantage of your presence here today to ask you a few questions.

Why was the minister's spokesperson collecting confidential information on doctors' billings? Under whose direction did he take this? Did the minister order the collection? What did he do when he was told about the information? Who else in his office knew? Can you clear up these questions for us?

Hon Michael D. Harris (Premier): First of all, let's be clear that what we're talking about here are allegations. While I did get a brief report yesterday morning on the situation, anything that I received in that report does not indicate anything other than an allegation of confidential information. There is no evidence that any confidential information was in the minister's office, was in the hands of Mr James. There is no evidence that anybody requested such information. The minister indicated to me that he did not and is not aware of any of that evidence or any of that information.

What we do know is this: The staff member used whatever information he had very inappropriately and unacceptably, and the minister brought that to the attention of this House and he has resigned. The minister has stepped down so we —

The Speaker (Hon Chris Stockwell): Premier, thank you.

Mr McGuinty: There is no issue whatsoever about the inappropriateness of releasing that information. Our questions are related to how that information came into his hands in the first place, and the fact of the matter is Mr James worked in the minister's office. It could hardly be said that the minister's office had no involvement in connection with this.

With each passing day in this murky affair that people are starting to call "Bullygate," it comes more obvious why only a public, all-party inquiry can find out what really happened.

Interjections.

The Speaker: The member for Dufferin-Peel.

Mr McGuinty: Premier, you don't seem to know, or maybe you know only too well, how limited an investigation by the FOI commissioner will be. His investigation will be conducted entirely in secret, with no media or public scrutiny. A legislative inquiry would take place in public. The commissioner can't subpoena or compel witnesses to testify under oath; a legislative committee can do that. No one can cross-examine a witness behind the closed doors of an FOI investigation, but a legislative inquiry would allow for this. I ask you, will you give us an all-party legislative inquiry?

Hon Mr Harris: Let me first of all state that the only person who has called this affair the word you used is you. What I have heard is "honourable," "unprecedented," "stepped aside." Here is a minister who has done the honourable thing, contrary to the previous two governments whenever any of these issues were raised, and I might add he did so and accepted responsibility, even though there was no allegation and not a shred of

evidence anywhere that the minister has done anything himself inappropriate. So let's be clear about what people are saying. They are saying "honourable."

What we have done is we have asked the Information and Privacy Commissioner to conduct a thorough and complete investigation as quickly as possible. I know the OMA asked that I do it — I don't think that was appropriate — on the weekend. That report, as you are very well aware, will come we hope quickly. It will come to an all-party committee of the Legislature, the Legislature itself, and I might add, you are a member of this committee. You, sir, will get the report.

1350

Mr McGuinty: If the Premier is convinced that the minister has nothing to hide, then why not agree to the all-party legislative inquiry? Do the minister a favour. He's going to be hanging under a cloud after the result of this commissioner's inquiry. There's always going to be a lingering doubt. Do the minister a favour. Give him the opportunity to come before a legislative committee.

Let's suppose for an instant that Brett James is asked about how he got the information on the doctor, on whose instructions he was acting or who else he might have passed the information on to. Mr James, as you well know, can say, "Sorry, I have no intention whatsoever of responding to those questions." And suppose the commissioner wants to ask the deputy minister what she and her staff knew. Since every information request from the minister goes to the deputy's office on the way down and again on the way up, the deputy can just refuse to meet with him. End of story.

Premier, you've got a chance to show some leadership here. You can refer this to a legislative inquiry and we'll get to the bottom of this affair once and for all, or you can stonewall and you can sweep things under the rug and you can hide —

The Speaker: Thank you.

Hon Mr Harris: I have not received any indication from any in the media who observe these things, from any member of the public, to suggest that we are stonewalling. In fact, we have received a lot of compliments on moving quickly, on moving effectively and getting to the facts and that here we have a minister who is not under any cloud at all. In fact, he is receiving a lot of congratulations, calls coming in even from doctors saying, "We can't believe that this guy is that honourable that he would take this step."

You praised the Information and Privacy Commissioner up and down and left and right during Bill 26. I believe the privacy commissioner can quickly report back more effectively and independently than I could. I have no indication that any single person, staff, political or otherwise, will not cooperate. I have asked them all to do so, and so has Rita Burak, my deputy. That will allow us to get a report back from the privacy commissioner. When the all-party committee of this Legislature receives that report, then they can do what they think is appropriate at that time.

The Speaker: New question. Leader of the official opposition.

Mr McGuinty: My second question is to the Premier as well. Premier, I will try to be more specific for you

then in terms of some specific requests. I know you want to get to the bottom of this, and so do we. Ministers' offices, and the OHIP office for that matter, keep track of all the paper that comes in and out. Will you release today the minister's office log of their request for OHIP records and OHIP's corresponding logs?

Hon Mr Harris: I don't know whether those records are kept. I don't know what they are. I don't know if they can be released publicly. Maybe you are aware. But I'd be happy to talk to the privacy commissioner and talk to the deputy minister, and if that information can be released, that would be fine. I have no indication that there has been any request for any of that type of information, but the privacy commissioner can look into that, if you like, as well.

Mr McGuinty: I want to assure the Premier that those records are kept in great detail. I will take the Premier's answer as being a yes and look forward to receiving those at the earliest possible opportunity.

Something further: The former minister knew there was trouble on Thursday. He didn't resign until yesterday. That allows plenty of time for the minister's office to be searched and cleaned with a fine-tooth comb. Can you guarantee —

Interjections.

The Speaker: Order, government members. I'd like to hear the question.

Mr McGuinty: Premier, can you guarantee to this House that none of the evidence crucial to a thorough and meaningful investigation was destroyed or tampered with in any way?

Hon Mr Harris: To the best of my knowledge, it certainly was not. That was certainly not the intention. In fact, in the brief conversation I had with the minister there was a desire to make sure that all the information was accessed quickly, publicly, that the privacy commissioner be given every opportunity, because he's very confident that that's in the public interest and it is in his interest as well. So I would suggest quite the contrary is the only evidence that I have from all the parties involved.

Mr McGuinty: Premier, one more specific question for you: Can you assure that all of the information regarding Dr Hughes and any other additional information on doctors or patients that had been stored in the minister's office has been gathered and safely stored and is secure at this time?

Hon Mr Harris: I could refer, I suppose, to the new Minister of Health, but I'm not sure he's had time at this point in time. It would certainly be our intention. But let me be clear: I am not aware that there is anything in the minister's office that has to do with billings of doctors or that has to do with patient records.

Mr Dominic Agostino (Hamilton East): There was last week.

Hon Mr Harris: And there is no evidence to suggest that it was there last week, either. I have no evidence of that. We will ask the privacy commissioner, who has indicated, and I think you have a copy of the letter, that he intends to go in there quickly. I would hope that he is in there today; if not today, as soon as possible, to ensure that. But I have no indication of that. I would hope that

is not the case. Certainly given, if you like, the publicity around the inappropriate use of information by this member, I would be very shocked if that is not the case, but we will do everything we can to ensure that it is.

1400

The Speaker: New question. Leader of the third party.

Mr Howard Hampton (Rainy River): My question is also for the Premier and it concerns the legal authority of the privacy commissioner. We are told that the following laws may have been breached, and as far as we know, they are not at all within the ambit or within the legal authority of the privacy commissioner to investigate. We have been told that the Independent Health Facilities Act may have been breached, that the Public Hospitals Act may have been breached, that the Ontario health insurance plan act may have been breached. None of these are within the legal authority of the privacy commissioner to investigate.

The privacy commissioner may be a nice guy, he may be a very honourable person in terms of working under the access to information act and the privacy act, but he has no legal authority to look at whether or not these laws have been breached, to what extent they have been breached etc. That is the —

The Speaker: Leader of the third party, come to order, please. Premier

Hon Mr Harris: To the best of my knowledge, there have been no breaches of these statutes. However, if the investigation shows that there is anything more than your allegations or allegations that are out there, unfounded, unproven — it may prove to be entirely untrue, but if there is any hint and if the privacy commissioner needs any help, I'm sure he will ask me, and we'll give him all the resources, all the help that he needs.

Mr Hampton: This goes to the core of what's going on here. We've already seen in the past few weeks that this government is quite prepared to call the police if someone raises their head in opposition to the government. If someone points out that the government has been less than forthcoming about the family support plan, it's quite prepared to call in the police.

Here, at first blush, we have the Independent Health Facilities Act, which pertains to the confidentiality of individuals' health records, not doctors' billing records; the Public Hospitals Act; the Ontario health insurance plan act. These are all very serious pieces of legislation that affect potentially every person in this province. It's quite clear, all you have to do is read the privacy commissioner's own legislation; he doesn't have legal authority to do anything. Premier, why won't you call an inquiry that would have the legal authority to look at these pieces of legislation and possible breaches of these pieces of legislation?

Hon Mr Harris: As soon as I receive a shred of evidence of any breach of any of those pieces of legislation, then we'll be happy to deal with those appropriately.

Mr Hampton: When it looks as if legislation or laws have been broken, you don't then sit down and say, "Well, we don't have evidence of this at first blush, so we're not going to go and turn our eye to see if there is evidence." If there is a prima facie possibility that these acts, these important laws, have been breached, you put

in place the kind of inquiry, you put in place the kind of legal process that will get to the bottom of it. The government hasn't done that. The government has deliberately chosen the privacy commissioner, knowing that he doesn't have the authority to examine and see if any of these acts have been breached.

The whole government process here is designed not to get to the bottom of it. I put my question to the Premier again. These are very important pieces of legislation that pertain to the health records of virtually every person in this province. It seems to me we want and need and must have a process which can examine this. We're asking you for that now.

Hon Mr Harris: Our first priority is the confidentiality of health records, it's the confidentiality of medical records. We have brought in the privacy commissioner to deal with those and to deal with those quickly and to deal with those effectively.

If the privacy commissioner, who will report to this — I mean, he can report to me tomorrow and suggest that he may need help or the police should be called in. There are all vehicles there. But I would say to you, in this game of what if, to date there's not any evidence to suggest that anybody else needs to be called in. I would ask you, if you have any evidence other than allegations, go ahead, bring it to me. We'll deal with it.

The Speaker: New question. Leader of the third party.

Mr Hampton: What we have is this: We do not have random information; we have very selective information.

The Speaker: Who are you going to?

Mr Hampton: To the Premier. The Ontario Medical Association was very clear yesterday that someone would have to go through medical files with a motive, with a purpose in mind, to select the top one, two, three, four or five billers, that that information is not available on a random basis.

I would say to the Premier that in itself is a very suspicious piece of prima facie evidence and that should tell you it is not good enough just to have a privacy commissioner who doesn't have the authority to order people to appear by means of subpoena, who doesn't have the authority to require evidence under oath, who can't investigate whether the Independent Health Facilities Act has been breached, the Public Hospitals Act has been breached, the Ontario health insurance plan has been breached.

It's obvious, Premier, that the review you've put in place here is completely inadequate. It doesn't have the legal tools. It doesn't have the legislative jurisdiction. What you're trying to do is that you're trying to limit this review. You're not interested in getting at the truth. If you were, you'd have a much broader —

The Speaker: Thank you. Premier.

Hon Mr Harris: I think the privacy commissioner will move quickly and I think when we get those facts we'll be dealing with facts instead of innuendo. Now, what I have determined so far, and has been passed on to me, does not support any of the innuendo that anybody sought any information concerning top billers, that any of that information was provided, that anybody had it. However, I think the privacy commissioner will be able to determine that very quickly and very effectively.

Secondly, you're right: He does not have the power to subpoena. What he has is his authority and has been invited in to investigate, and my word that everybody politically will comply and the secretary of cabinet's word that everybody will comply. Now, if there is any problem with any of that, I am sure I will hear about that and we'll deal with it at that time.

Mr Hampton: Let's take the Premier up on his offer here. I want to ask the Premier what steps have been taken in the past five days to ensure that documents have not been destroyed and that information pertaining to this investigation has not been altered. I want to ask the Premier, what did the Minister of Health tell you? Did he offer you any explanation how the information found its way into his office? That's what Mr James said, it's in his office, meaning the Minister of Health's office. What assurances did the former minister give you that his office and the information contained within it are secure and remain secure?

I believe you have to give us answers to those questions, Premier. Otherwise, if you can't answer those questions, what assurance do we have that any of this is going to be handled appropriately? You need to answer those questions now.

Hon Mr Harris: The person most appropriate to give those assurances is the Minister of Health. He has given those to me and I accept that.

Secondly, we have a new Minister of Health who will have to give those assurances from this day forward, and I accept that he will do that, as does the Deputy Minister of Health accept that responsibility, and I give you assurance that is the case. So everything I've heard from those responsible is that is the case. All those steps have been taken and I am satisfied from the minister and the deputy minister and everything I have heard to date that that is the case.

Mr Hampton: I did not hear in that answer at all that, first of all, the Minister of Health's office has been secured. I didn't hear that. I didn't hear that it was secured as of when this information became public last week. I didn't hear that precautions have been taken to ensure that nothing has been destroyed or nothing has been removed. I didn't hear any of that.

We're told here that we're going to have the privacy commissioner who doesn't have the legal tools to ensure that all of these things happen. We're going to have the privacy commissioner who doesn't have any capacity under the Independent Health Facilities Act, the Public Hospitals Act or the Ontario health insurance plan act. This is entirely inadequate. The Premier can't give us any assurances that the office has been secured and the privacy commissioner has no authority himself —

The Speaker: Question.

Mr Hampton: I say to the Premier again, if you are really interested in getting to the bottom of this, if you are really interested in ensuring that the truth emerges, then you should have a public inquiry —

The Speaker: Thank you. Premier.

Hon Mr Harris: I have no evidence of any wrongdoing by any member of the political staff or the ministry staff, other than one who inappropriately used information with a reporter for which that staff member has been dismissed. So I have no evidence of that.

I have asked that question and I have been assured that in fact, from the minister's point of view and the minister's office point of view, that is the case.

If you have evidence other than that I'd be happy to consider it but there is not in the public domain today, to the best of my knowledge, any evidence of any of that. In spite of that, here is a minister who did the honourable thing, something unprecedented in this Legislature in a long time, to allow the investigation to proceed. That, I think, should be applauded.

1410

The Speaker: New question.

Mr Sean G. Conway (Renfrew North): My question is also to the Premier. Let us be clear. What we have here is the following: a senior political aide who had information that he ought not to have had, that quite frankly, in the post-Martel world, none of us ought ever to have had, and this senior political aide set out to attack and smear an innocent Ontario citizen who just happened to be taking issue, on policy grounds, with the government of Ontario.

My question to the Premier is this: Can you tell the House today whether or not any of your Premier's office staff had any knowledge of the information that Mr Brett James had and the purposes to which Mr Brett James intended to use that information, namely, calling Jane Coutts at the Globe and Mail? Do you or did any of your Premier's office staff have any information of that kind prior to the story breaking in the Globe late last week?

Hon Mr Harris: First of all, you have made allegations that even Brett James had information he shouldn't have. We don't know that yet. That is an allegation, and we do not know that. We know he used information inappropriately. We don't know what information he had. We don't know where he got it.

I can assure you that in my office, in the Premier's office, to the best of my knowledge in the cabinet office, including so far everything I've heard, none of this information was there, sought for, asked for, nor was there any strategy.

But since we can't be positively sure, we are calling the Information and Privacy Commissioner to find out first what information was there. If it was inappropriate information, how did it get there? These are the answers we need to know, and when we find those answers out, that report will come to the Legislature and we can take whatever action is deemed appropriate.

Mr Conway: Premier, I sat on the Martel inquiry. In fact, I have in my hands the specific testimony given to the legislative committee on February 10, 1992, by the then general manager of OHIP, Dr Robert MacMillan. Dr MacMillan detailed the elaborate protocol surrounding how this kind of confidential doctors' billing information might be made available to a minister's office.

Having sat through that inquiry, having Dr MacMillan's sworn testimony, I can say without any fear of contradiction that the information Brett James had last week was information that no political aide ought to have, and I can certainly tell you that the purposes for which he intended it, namely, an unprovoked attack on a Peterborough doctor, was clearly out of order.

My question to you, Premier, is: Will you tell the House today at precisely what time in the last week you were made aware of the Brett James-Jim Wilson-Dr Hughes affair and by whom you were so advised?

Hon Mr Harris: I want to answer the question. First of all, let a couple of things be said here.

You are assuming and implying something we don't know yet. The Information and Privacy Commissioner will help us answer that, I believe, and then we can all know. But I am telling you that we know this: A member of the minister's staff used information unacceptably, inappropriately, without direction and knowledge of the minister, and for that his resignation has been sought and is there.

Mr Conway: Information that he shouldn't have had and that he could only have had because Jim Wilson asked for it or somebody higher asked for it.

The Speaker: The member for Renfrew North, come to order, please.

Hon Mr Harris: As I indicated, what we do know is that a member of Mr Wilson's staff acted inappropriately, obviously without the authority of the minister, without the knowledge of the minister, and he was dismissed. I'm quite satisfied with that.

What we do need to know is: What actual information did Mr James have? Who else had it if it was inappropriate? How did they get it if it was inappropriate information? I believe the conflict commissioner is the right one to get in there quickly and give us that information.

Mr Gilles Pouliot (Lake Nipigon): Conflict commissioner?

Hon Mr Harris: Sorry. The privacy commissioner is the right one to get in there quickly and tell us that.

The Speaker: New question, the leader of the third party.

Mr Hampton: I want to read the letter that went from the secretary of cabinet to Mr Wright, the privacy commissioner, to show you how narrow this review is. It says in the third paragraph, "Your reports and comments have assisted the ministry's understanding and compliance with the Freedom of Information and Protection of Privacy Act."

The Speaker: I need to know who the question is to.

Mr Hampton: To the Premier.

This is only concerned with the Freedom of Information and Protection of Privacy Act. But, Premier, the Health Insurance Act has been breached; we believe the Independent Health Facilities Act and the Public Hospitals Act, all of these laws and their statutory guidelines have been breached, and the Information and Privacy Commissioner has no legal authority to conduct any investigation of this. If you really want to get at the heart, the substance of this, if you want to ensure the integrity of the Health Insurance Act, if you want to ensure the integrity of the disclosure of personal information under the Health Insurance Act, the privacy commissioner doesn't have any legal authority to do it.

I ask you again, what we need here is an inquiry under the Health Insurance Act which will have the legal authority that is necessary. The privacy commissioner doesn't have it and it's clear by your letter of referral that —

The Speaker: Thank you. Premier?

Hon Mr Harris: The privacy commissioner has the authority to go in, to investigate, to interview and to arrive at the facts. What you, sir, are suggesting are not facts.

Mr Hampton: I'll say it again. The letter that was sent by the secretary of cabinet to the privacy commissioner, all it says is, "understanding and compliance with the Freedom of Information and Protection of Privacy Act." By your own letter of referral you have limited this investigation. It says nothing about the Independent Health Facilities Act, nothing about the Public Hospitals Act, nothing about the Ontario health insurance plan act. By your own letter of referral you have limited this. By the fact that the privacy commissioner doesn't have the power to subpoena, doesn't have the power to take evidence under oath, you have limited this.

Premier, I ask you, are you interested in getting to the bottom of this? In which case we need an inquiry under the Ontario health insurance plan act which can look at how that act has been breached. If you're interested in getting to the truth, it seems to me that's what we need. If you're interested in limiting this, then we're left with the privacy commissioner.

I ask you again, Premier, are you interested in getting to the bottom of this? If you are, you should appoint an inquiry under the Ontario health insurance plan act since that's where the breach of the law is occurring.

Hon Mr Harris: I have every confidence that the privacy commissioner will in fact get to the facts. If in getting to those facts there is any hint, any suspicion by the privacy commissioner that any acts you mentioned have been breached, then we can deal with that. To date, I have not a shred of evidence that any of those acts have been breached.

1420

BENEFITS FOR OLDER WORKERS

Mr Bill Murdoch (Grey-Owen Sound): My question is to the Minister of Labour. About six months ago I asked the minister to bring me an update on the POWA program, the program for older worker adjustment. I have many constituents in my riding who have been waiting for something to be done. We asked the government before, both the minister and I, and now that we're the government, I would like something done about it, because I have some constituents who have been waiting five years. As I say, we asked about six months ago and really nothing's been done since. I would like the minister to bring us an update of what is going on with that program.

Hon Elizabeth Witmer (Minister of Labour): I appreciate the genuine concern the member has expressed. He does have many people within his riding who have been waiting.

I just want to remind the member that this is a program for older workers that is funded 70% by the federal government, 30% by the province. Unfortunately when we took office there was a tremendous backlog, and we committed to double funding for the program from \$2 million to \$4 million. However, we still have a backlog

and we're trying to deal with that. What has happened in the meantime is that the federal government notified us that it will be getting out of the program as of March 31, 1997. So now we need to deal with that backlog as a result.

Mr Murdoch: I understand it's a joint federal and provincial program, but what's happening in my riding is that the federal government keeps blaming us. They say we're not coming across with our money. I realize also that they've said they're going to get out of this, so then what are we going to do about it? The bottom line is I have constituents who have expected something and, as I say, some of them have been waiting for five years for this program. What are we going to do about it? It still falls back on us or my constituents, so I'd like to know what's going to happen.

Hon Mrs Witmer: We have been equally as frustrated as your constituents. When the announcement was made by the federal government we asked them to work with us in order that we could eliminate the backlog and provide the appropriate money for the people still owed money. However, I want to tell you that we have not received a response, so on November 21, 1996, I wrote a letter to the minister. We had been making phone calls. I have asked for a time to be set up as to when we can communicate and determine a strategy to deal with the money still owed to the older workers. I have to tell you that as of today we still have absolutely no commitment from the Honourable Pierre Pettigrew that indeed they're willing to meet with us on this issue. So I certainly share your frustration and I can tell you that we have repeatedly tried to communicate and resolve the situation.

DISCLOSURE OF CONFIDENTIAL INFORMATION

Mr Gerry Phillips (Scarborough-Agincourt): My question is to the Premier. I want to focus on the conversation you had with the former Minister of Health, and I will just refresh our memory. His right-hand person did something that you yourself say was totally inappropriate: He divulged confidential information about one of the citizens of Ontario designed to threaten that individual.

The former Minister of Health must have launched an immediate investigation. I think the public would have expected, Premier — you're responsible, it's your minister, your standards, your the person who's in charge — that the first question you would have asked the minister is: Where in the world did Mr James get that information and does anyone else in the ministry have that information? I'm sure you asked that question, Premier. What did the former Minister of Health tell you when you asked him that question during that conversation?

Hon Michael D. Harris (Premier): It's not entirely clear what information Mr James had. It's not entirely clear whether that information was even inappropriate. What is very clear is that what information he had, he used in a very inappropriate way, an unacceptable way to the government and unacceptable to the minister. So that situation was dealt with.

In my brief conversation with the minister, we agreed that the best way to get to the bottom of this was not to have the minister do it, which is the way former governments might have done it; not to have the Premier do it, which may have been the way former governments tried to do it; but that the best way was to get somebody independent in there as quickly as possible who could give some confidence or give the answers with regard to privacy of information, which is what we're concerned about with health records. For that reason, he opted to step down, which I think was a very honourable thing to do, and we agreed that the privacy commissioner could get in there the quickest and the —

The Speaker (Hon Chris Stockwell): Thank you, Premier.

Mr Phillips: Premier, you look strange on this. I think the people of Ontario have a right to expect you, the person who appointed that minister — and I gather this information was available to this individual and that may not be all of the information he had to smear people; the information may very well be still in the minister's office, distributed to many people. I would have thought the first question you would have asked and the assurances you would have got as the Premier responsible to the people of Ontario would have been those two questions: How did this individual get this information, and how can I assure the people of Ontario there aren't others in your office using the same information to smear people?

You should have asked that question, you should have had an answer, and you should give us that answer right now. The privacy commissioner certainly can look at it, but you deserve to tell the people of Ontario the answer to that question: What did the Minister of Health tell you when you had to have asked him that question about how he got that information, and, Premier, can you assure the people of Ontario that this was the only individual who had that information? As Premier, you surely owe us that answer.

Hon Mr Harris: I can assure you of this: The minister indicated he did not have any information that was inappropriate, nor did he authorize any use of any information, appropriate or otherwise, in the way it was used. He gave me that assurance. To the best of his knowledge, he indicated, nobody else in his office did either. I accepted that from the minister.

I accepted as well that the best way to find out whether there was anybody else who had this information and whether the information was inappropriate was not for me to ask the question or for him to ask the question, but for us to both remove ourselves from that — he by stepping down as minister — and to appoint and give authorization to the privacy commissioner to go in and ask those questions.

1430

The Speaker: New question.

Mr Bud Wildman (Algoma): I have a question to the Premier. Premier, that just is not believable. Surely as the first minister it is your responsibility — the ministers report to you, as do the deputy ministers — to find out how Mr James got the information and what involvement

the previous minister had in the obtaining of that information.

We've had discussion here today about the testimony before the committee, which says that access to confidential information may be permitted only where there is an official need to know. That's from the sworn testimony before a committee of this House. Official needs to know must come from the minister and from the deputy minister. It is your responsibility as Premier to find out who asked for the information, how it got into Mr James's hands, and who he was authorized to give it to. What did you ask your previous minister and what did he tell you about that?

Hon Mr Harris: You raise an excellent point. It is my responsibility. In order to ensure the integrity of the process, instead of me investigating myself, I removed myself from that and went and sought the privacy commissioner to go in. I thought the privacy commissioner would be considered by you and by the public as more impartial than I might be about my good friend whom I appointed as minister and have a great deal of confidence in, Jim Wilson. Maybe I was wrong. Maybe you would have accepted my word over the privacy commissioner's.

I doubt that, which is why, to get to the bottom of this and to seek the information that is in fact my responsibility, I did something perhaps different than your Premier did, or the Liberal Premier: I went immediately and removed myself; the minister removed himself. We went to the privacy commissioner to get the information.

Interjection.

The Speaker: The member for London North, come to order, please.

Mr Wildman: Premier, that's not acceptable. The buck stops with you. You are the one who is ultimately responsible. You appoint the ministers; you appoint the deputies. It is clear that this information could not have been in Mr James's hands unless it was authorized by someone other than himself, someone in a position of responsibility. You are the person who is responsible. You are the person for determining who has access to this information by the very fact that you appoint the two senior officials: the minister and the deputy minister. The buck stops with you.

It is inconceivable that you did not ask your previous minister if he authorized that this information be made available to the minister's office, and if you didn't ask that question, then you are shirking your own responsibility. Why is it you didn't ask that question and why didn't you get it?

Hon Mr Harris: I did not ask the question because before I could ask it, the minister assured me that was not the case. So I need not have asked the question. I have indicated to you that the minister is not aware of anything, any knowledge; he didn't request any information and he is not in the possession of any information.

I want to say to all of you that you are assuming even that Mr James had confidential information that he shouldn't have had. We do not know that at this point in time.

Mr Wildman: Why didn't you ask?

Hon Mr Harris: I could have asked, and if you would like me to stop all inquiries by independent third parties, if you would like me to ask the conflict commissioner to step aside, let me do it. I'd like to hear you say that. But I felt the conflict commissioner was the fastest independent way to go and ask those questions, and then we can deal here with facts, facts that none of you have and I don't have either.

Interjection.

The Speaker: The member for Renfrew North, come to order, please.

FLU AND PNEUMOCOCCAL IMMUNIZATION

Mr Bert Johnson (Perth): My question is for the minister responsible for seniors. More than 20% of the population of the riding of Perth is over 65 years of age. Their concerns are very important to me and I appreciate your efforts in addressing them.

As a government, we can take great pride in the Minister of Health's announcement earlier this year of a vaccine program to combat pneumococcal pneumonia, the most common type of pneumonia to hit seniors. I'm concerned, however, by an article in yesterday's Toronto Star, which said the central stocks of the vaccine have run out. Could the minister please assure the House that this important initiative is proceeding and the needs of seniors are not being neglected, as they have been by former governments.

Hon Cameron Jackson (Minister without Portfolio [Seniors Issues]): I'd like to thank the member for his question and assure all Ontario seniors that despite a worldwide shortage of this vaccine, this government is proud that it has met its first-year commitment and it has purchased vaccines for 400,000 Ontarians. The doses have been purchased. We are now preparing to purchase half a million doses in each of the next two years. We are buying as much of this vaccine as can be produced at the time, and we are going to proceed and we are on track with our program as we announced it.

We are pleased that the government of Ontario is taking the national leadership in immunization and health promotion by investing into this program \$20 million for the pneumococcal program, \$4.5 million for the measles program and our hepatitis B immunization program.

Mr Bert Johnson: It is apparent that the minister is well aware of the problem, and it's good to know that this program is going to continue. However, given the relatively short supply of the vaccine, I was wondering if the minister could tell us what is being done to ensure that those seniors most in need of the vaccine get it first.

Hon Mr Jackson: Those members who read the article in the paper will know that these are being given on a priority basis to persons in long-term-care facilities and chronic care hospitals, that we are then going to have about 80,000 to 90,000 Ontarians who turn 65 each year who will be first in line.

But I must remind members that this is one of the most massive immunization programs undertaken on the continent and that we are the first government in all of Canada that has included this program in its drug benefit plan. I want to remind members that 1.4 million Ontar-

ians will be inoculated, and frankly, in 1993, under the old way of doing business in health care, only 2,080 Ontario residents were immunized under the NDP program. Under the leadership of our Minister of Health, the member for Simcoe West, we are leading the continent in immunizing its citizens, and that's good news for 1.4 million Ontarians.

DISCLOSURE OF CONFIDENTIAL INFORMATION

Mr John Gerretsen (Kingston and The Islands): My question is to the Premier. In light of everything that we have heard in the last couple of days, can you advise this House whether or not you or any other member of the cabinet has authorized a police investigation to determine whether or not either the invasion of privacy provisions or the breach of trust provisions in the Criminal Code have been violated in this case, and if not, why not?

Hon Michael D. Harris (Premier): No, I know I haven't, and I don't think anybody has called in the OPP to launch that investigation, and I don't have any evidence to suggest that's necessary.

Mr Gerretsen: You may want to take a look at that, Premier, because there are two sections that deal specifically with a situation like this.

I'd like to come back in my supplementary to the commissioner you've asked to investigate this matter. According to section 59 of the act, the commissioner may only do about five things, and that is to comment on proposed legislation, order an institution to cease getting certain kinds of information, do research with respect to particular matters, hold educational programs and receive public representations. There's absolutely nothing in the act, sir, that specifically authorizes him to investigate this kind of an alleged violation. Why did you ask this commissioner to do this, and why don't you allow an all-party committee of this Legislature to look at this matter in its entirety so that we can have a complete look at the entire situation?

Hon Mr Harris: Because to this point in time, there is absolutely nothing to refer to an all-party committee. There have been a few allegations. There's been inappropriate behaviour by a staff member, who has been dismissed. However, because we're not sure of what information, whether it was appropriate, who had it and how it got there, the first thing we have to determine is, was this information inappropriate? The privacy commissioner can tell us that. How was it obtained? Was there a breach of the privacy guidelines that he's there to advise on? He can tell us that. When he reports those facts back to me and to the Legislature, then we can decide what action is appropriate from there.

1440

The Speaker (Hon Chris Stockwell): New question. Leader of the third party.

Mr Howard Hampton (Rainy River): Premier, you keep trying to miss the point. The point is that it is illegal for someone to even possess this information. That much has been settled around this Legislature and the law of Ontario for at least the last five years. It's illegal for someone — the minister, anyone on the minister's staff — to possess this information. That's the issue here.

The fact of the matter is, you keep referring to the privacy commissioner, but you have limited the privacy commissioner by your own letter. You're limiting the privacy commissioner to the Freedom of Information and Protection of Privacy Act. That's not the issue here. The issue here is that under the Ontario health insurance plan act, there is a host of laws and rules that are supposed to be observed. They have nothing to do with the Information and Privacy Commissioner.

The Speaker: Question?

Mr Hampton: What we're asking you for is an inquiry to get at the real issue, the fact that the Ontario health insurance plan act as a law was not obeyed. The Information and Privacy Commissioner has nothing to do with that. That's why —

The Speaker: Thank you, Premier.

Hon Mr Harris: I would suggest to you, with a great deal of respect, you are making allegations that have no foundation. But the privacy commissioner will be able to tell us whether there is any foundation, whether there is any information that was inappropriate, who had it and who did not. I can assure you, and I've assured all members, that I do not have that information; my staff does not; the minister does not; to the best of his knowledge, the minister's staff does not. The privacy commissioner will be able to tell us that, and then we can deal with appropriate action from there.

Mr Hampton: Here's the conundrum. We've asked the Premier today to come forth with information. We've asked the Premier to tell us whether the office was secure. We've asked the Premier what questions he asked of the Minister of Health. We've asked what questions were asked of Mr James. None of that information comes out here.

The privacy commissioner now, who has a narrow jurisdiction, the information and privacy act only, who has no jurisdiction under the Ontario health insurance plan act — can't subpoena evidence, can't get evidence under oath, doesn't even have the crime scene, the office of the Minister of Health, secured — is somehow going to come in and clear this up.

Premier, what you're doing is the equivalent of sending a parking bylaw officer to investigate a hit-and-run. That's the equivalency here. He has none of the legal tools, none of the legal authority. He doesn't have an act to investigate under. If you're interested in securing the health information of the people of Ontario —

The Speaker: Thank you, Premier.

Hon Mr Harris: I have answered all the questions. I've indicated the minister has gone above and beyond the call of what any honourable member would do — set precedents, I might add, in Ontario and in politics in this province, by stepping down and allowing this investigation. I have gone above and beyond to say I will have the privacy commissioner gather the evidence.

You asked about being secure. The member's office is secure. The minister's office is secure. I have been assured by the now minister that all the procedures have been followed in securing the information so the privacy commissioner can get in there according to all the procedures that should be followed, and they've been secure all this week, I can assure you of that. I can't tell

you the precise second, but if you'd like to know the precise second, we'll ask the privacy commissioner to give us that information too.

FRAUDULENT CHARITIES

Mr Dan Newman (Scarborough Centre): My question today is to the Minister of Consumer and Commercial Relations. Several constituents of mine in Scarborough Centre have written to me expressing concern about true charitable solicitation from legitimate organizations and many of the telephone charity scams that are currently going on. I recently read that an organization in York region is being investigated by the public trustee's office for this very reason. With the holiday season here and the spirit of giving paramount, my constituents want to know how to ensure they are donating to a true charity.

Hon David H. Tsubouchi (Minister of Consumer and Commercial Relations): I thank the member for Scarborough Centre for the question. Actually, it's too bad that Mr Rick Short and his grade 10 history class from Leaside High School, constituents of the honourable member for York East, are no longer here, but it's very timely up to the holidays right now.

It's not uncommon during this season to have a variety of solicitations from various charitable organizations or seeming organizations either by phone or in person. My ministry has been very proactive in getting information out to the consumers so they can make informed choices. We remind people to check these organizations very carefully and ask questions about who benefits out of the charity and what percentage goes to charity.

Legitimate charities are very pleased to answer questions with respect to the funding. We also remind people to be very cautious if they're approached for a donation over the phone and never, never give out your credit card over the phone unless you're positive you know who you're dealing with.

Mr Newman: I'd be happy to share this information with my constituents. I'm sure they would also like to know what to do when they discover that they are being scammed or someone is attempting to swindle them. If they've been scammed or suspect that they have been scammed, is there somewhere they can report this information?

Hon Mr Tsubouchi: I thank, once again, the member for Scarborough Centre. Phonebusters and the enormous success this organization is having is rooting out this type of telemarketing scam. They have had quite an experience where they've reduced this type of a scam in Ontario by about 40%. This is a cooperative effort in connection with Industry Canada, the RCMP, the OPP and certainly our ministry, and we have had a number of convictions and successes.

Project Phonebusters has been recognized this month for its excellence and success by receiving an Amethyst Award. Anyone who suspects they are being scammed should contact Project Phonebusters. If they would like to, the number is (705) 495-8501. It is very important during this season for us to continue this initiative.

DISCLOSURE OF CONFIDENTIAL INFORMATION

Mr David Ramsay (Timiskaming): I have a question for the Premier. Several times this afternoon, in various responses to questions that have been placed to you, you've said really the question is still to be decided as to whether it's appropriate or not for this particular assistant to have had this information in the first place.

Simply, I'll just ask you, Premier, do you think it's appropriate for a minister's political staff in your government to have sensitive, private information on citizens' income, especially doctors who bill your government for that income?

Hon Michael D. Harris (Premier): It is totally inappropriate, I believe, for a minister's staff to have confidential billing information that is contrary to any act of the Legislature. That's why we're investigating to see if any of the staff, including the one who has resigned, possibly did have any of that kind of information.

The Speaker (Hon Chris Stockwell): Motions? Point of order, the member for Algoma.

Mr Bud Wildman (Algoma): Mr Speaker, I rise on a point of order because I know that you will be required to make a ruling on a very important issue around the standing orders later today, and I wanted to put forward some considerable concern that we have so that you will be able to use that information in consideration of your ruling and whether or not the motion that is going to be put —

The Speaker: The member for Algoma, pardon me for a moment, please. I appreciate the fact that you're standing on this point of order. It seems to me it's a point of order for a potential motion that's coming.

Ms Frances Lankin (Beaches-Woodbine): The motion has been tabled.

The Speaker: Oh, I see. It has been tabled. Pardon me.

The member for Algoma, at the time the motion is on the order paper, but as I've just been informed, it could be on the order paper for months. There's nothing that says this has been called.

I say to the member for Algoma, I'm not saying I won't hear your point of order. What I'm saying to the member is, there's an appropriate time to hear your point of order, and I think it's at the time it's called. When the government House leader calls the motion, that's when I'll hear the points of order.

Mr James J. Bradley (St Catharines): On a point of privilege, Mr Speaker: This is quite a concern I think, and it was something I've mentioned in earlier speeches. It relates to the fact that subscribers to Hansard will no longer be able to receive Hansard from this House. What members of this House say will no longer be available by subscription to people in this province. You will now have to own a computer and be on the Internet to be able to obtain this information. You, as Speaker, may have some interest in this. I'm sorry I didn't raise it yesterday, because I did notice this. I got a notice and it says, "In the interim, Publications Ontario will renew existing subscriptions only until December 31, 1996, and will therefore continue to provide uninterrupted subscription

service to December 21, 1996. The existing rate of \$68 plus tax will apply" —
1450

The Speaker: Member for St Catharines, let me just say quickly to you before you go on much longer, that particular decision was made by the Board of Internal Economy. Your party has a representative on the Board of Internal Economy, and I suppose the place to bring that particular issue to bear would have been at the Board of Internal Economy.

Mr Bradley: I agree with your ruling on that, Mr Speaker, in a general sense. It's just that it's rather urgent at this time. When I look at this, it's very urgent, and the reason I have a bit of a problem —

Interjections.

Mr Bradley: No, I know the government thinks I'm trying to cause a problem, but I didn't mention this the other day. The problem is —

Interjections.

The Speaker: Order, order. The member for St Catharines is now getting to the problem. What is the problem?

Mr Bradley: I'm wondering if the direction to the Legislative Assembly services was a general direction and not a specific direction and if they have not taken some action that in fact was not authorized by the Board of Internal Economy.

The Speaker: I give my undertaking to the member for St Catharines that I will investigate that vociferously and get back to him at my earliest —

Interjections.

The Speaker: Can I ask the House just to come to order. The member for Wellington and others, I know there are conversations. If you're going to have conversations, please go outside. I'm having difficulty hearing the points of order.

Ms Lankin: On a point of order, Mr Speaker: I seek your guidance on this. I understand the suggestion that you made to the member for Algoma and our House leader that it might be more appropriate to bring up the point of order at the time that the order paper item is called.

Here's just the dilemma, and perhaps you could give us your advice: To put you on notice and members of the House on notice that at that point in time when the order paper item, the motion with respect to extending sittings and calling the House back early, is put to the House, we will be making arguments that there are items out of order with respect to that motion, some considerable arguments, and at that point in time we would hope that you would actually give consideration to them.

The reason we were going to make the arguments now is so that you could have some time to give consideration to that before the item is called, so that we don't delay the debate if the debate is going to proceed and if it is ruled in order. That's why we were suggesting it. If there is another way of handling it or if we certainly have some undertaking that at that point in time you will give due consideration to the arguments, then fine.

The Speaker: Yes. As a matter of fact, that is the order of business, and at the time, if you stand on a point

of order, I will give due consideration to the arguments at that time. I give you my undertaking as well.

PETITIONS

HOSPITAL RESTRUCTURING

Mr Rick Bartolucci (Sudbury): My petition is to the Legislative Assembly of Ontario and the new Minister of Health:

"Whereas the Health Services Restructuring Commission has recommended the closure of two acute care Sudbury hospitals; and

"Whereas the overall number of available beds will be reduced by approximately 35%; and

"Whereas the reduction in beds will affect Sudbury's ability to remain the referral centre for health care in northeastern Ontario; and

"Whereas there will be a large number of layoffs in the health profession, impacting the quality of local health care and our Sudbury economy; and

"Whereas the global annual budget for Sudbury health care will be reduced by approximately 25%;

"We, the undersigned, petition the Legislative Assembly of Ontario and the new Minister of Health to rescind the Health Services Restructuring Commission's recommendation to close two acute care Sudbury hospitals."

I have affixed my signature to this petition, as I agree with it — another 1,014 names, which brings it to 20,304 who have signed this petition.

LABOUR LEGISLATION

Mr David Christopherson (Hamilton Centre): I have a petition from the UFCW to the Legislative Assembly of Ontario:

"Whereas 55 members of the United Food and Commercial Workers Union Local 175 who are employed at the Bancroft IGA have been on strike since October 21, 1996, in an attempt to gain a fair and just collective agreement; and

"Whereas the employer has been found in violation of nine separate provisions of the Ontario Labour Relations Act and has failed to comply with the Ontario Labour Relations Board directives; and

"Whereas UFCW Local 175 has filed a contempt-of-court motion with the Ontario Court of Justice in order to enforce compliance with the orders of the OLRB; and

"Whereas the employer, who is also the immediate past chairman of the Canadian Federation of Independent Grocers, has instituted the use of replacement workers; and

"Whereas the province of Ontario is witnessing growing labour unrest as a result of actions such as have been taken by the owner of the Bancroft IGA, in particular with the use of replacement workers;

"We, the undersigned, petition the Legislature of Ontario to restore the ban on replacement workers and bring forth labour legislation that restores a fair and equitable balance between labour and management, which was contained in the previous NDP government's Bill 40."

On behalf of our caucus I add my name to theirs.

VIOLENCE

Mr Jim Flaherty (Durham Centre): I have a petition to the government of Ontario.

"We, the undersigned, note that the movie *Crash* now being shown at theatres in Durham region contains material which contravenes the Criminal Code of Canada with respect to the depiction of obscene material. The explicit and gratuitous scenes of violence, linked with sexuality, are dangerous influences to susceptible persons and violate our community standards;

"We therefore request that you enforce the law by refusing to allow this motion picture to be shown in our community."

It's signed by various constituents in Oshawa and Whitby.

ROMAN CATHOLIC SCHOOLS

Mr Jean-Marc Lalonde (Prescott and Russell): I have a petition from the Carleton Roman Catholic Separate School Board and St Francis Xavier Catholic High School in Hammond.

"To the Legislative Assembly of Ontario:

"Whereas the right of Catholic ratepayers to govern Catholic education in Ontario is protected in the British North America Act (1867) and the Constitution Act (1982); and

"Whereas the Minister of Education and Training is reviewing and considering a number of reforms to the education system in Ontario; and

"Whereas a number of these proposed reforms would have a serious negative impact on Catholic education;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We strongly urge that the Minister of Education and Training be requested to reaffirm the government's commitment to the maintenance of Roman Catholic denominational rights ensuring that any reforms will not lessen or abrogate any such rights;

"And further, that the minister enter into realistic and meaningful consultation with all education stakeholders that will lead to positive change for students."

I've added my signature to the petition.

EDUCATION FINANCING

Ms Shelley Martel (Sudbury East): I have a petition addressed to the Legislative Assembly of Ontario, which reads as follows:

"Whereas Mike Harris and John Snobelen promised no cuts to classroom education, and since their election, the Harris government has cut more than \$430 million from school board budgets, representing a cut of nearly \$1 billion to public education on an annualized basis; and

"Whereas our children have already lost 50% of their special education funding, they've lost their librarians and in some areas their junior kindergartens. Many of them have no music programs left in their schools. Their class sizes have increased enormously. Some are in danger of losing their buses; and

"Whereas parents across Ontario know that most of the changes in education are being made just to cut \$1 billion so the government can help fund its tax cut; and

"Whereas parents know these cuts are affecting the classrooms and quality of education for their children; and

"Whereas parents know that they have not been consulted;

"We, the undersigned, demand that Mike Harris stop these cuts to our children's education and their future."

This is signed by 20 constituents in the riding of Sudbury East. I agree with the petitioners and I have signed it as well.

NATIVE FISHING

Mrs Barbara Fisher (Bruce): I'd like to present a petition on behalf of constituents of the riding of Bruce.

"To the Parliament of Ontario:

"Whereas the government's objective for fisheries on Lake Huron is to manage the aquatic resources of Lake Huron to ensure the long-term sustainability of a healthy ecosystem; and

"Whereas the attainment of this objective is based on the preservation and restoration of habitat and the control of exploitation of fish populations; and

"Whereas dedicated conservationists and the Ministry of Natural Resources have worked hard for many decades towards the achievement of this goal; and

"Whereas the fishery on Lake Huron rebounded from the demise that occurred several decades ago to a relatively health fishery, producing millions of dollars annually to the Ontario economy; and

"Whereas the rehabilitation and management of this important fishery is in jeopardy due to the uncontrolled aboriginal commercial fishing; and

"Whereas negotiations to resolve this issue have been largely ineffective;

"We, the undersigned, petition the Parliament of Ontario as follows:

"That the Ontario government immediately resolve the fisheries management crisis on Lake Huron and ensure conservation of the fisheries."

I've affixed my name to the top.

1500

SCHOOL BOARDS

Mrs Sandra Pupatello (Windsor-Sandwich): To the Legislative Assembly of Ontario:

"Whereas the provincial government is planning to make significant changes to the delivery and governance of education in this province; and

"Whereas we as parents believe that school councils should play an important role in education, with clearly defined responsibilities limited to their particular school communities; and

"Whereas we as ratepayers are extremely disturbed that consideration is being given to abolish school boards and eliminate decision-making by locally elected representatives;

We, the undersigned, petition the Legislative Assembly of Ontario that the present structure of school boards within the province of Ontario continue to have a major role in governance of schools to deal with broad policies as advocates for the students in their community, to

provide cost-efficient educational services and to be directly accountable to the parents and local ratepayers."

I affix my signature.

ROAD SAFETY

Mr Floyd Laughren (Nickel Belt): To the Legislative Assembly of Ontario:

"Whereas the Sultan Industrial Road is the most important and widely used transportation link for our community and people from both within and outside our community use the road; and

"Whereas the Sultan Industrial Road is very poorly maintained, which makes it extremely dangerous to use at any time of the year;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Harris government immediately upgrade the Sultan Industrial Road to provincial standards."

I support the petition and I have signed my name to it.

EDUCATION FINANCING

Mr W. Leo Jordan (Lanark-Renfrew): I have a petition that was signed by 27 parents and students. It was delivered, along with 62 letters, to the Premier and the Minister of Education and Training. The petition reads as follows:

"We, the undersigned, oppose the government of Ontario's cutbacks to public education."

TVONTARIO

Mr Frank Mclash (Kenora): I have a petition from a good number of my constituents in places like Summer Beaver, Kingfisher Lake, Muskrat Dam Lake, Sioux Lookout, Lac Seul, Wunnummin Lake and Big Trout Lake and it reads:

"We, the undersigned, strongly protest any plans to privatize TVOntario. The privatization of TVOntario would jeopardize Wawatay radio network's native language programming and Wahsa distance education services because both depend on TVOntario's distribution system."

I have attached my name to that petition as well.

OCCUPATIONAL HEALTH AND SAFETY

Mr David Christopherson (Hamilton Centre): I have a petition from the members of CUPE Local 1287 in the Niagara region that was forwarded to me by Brian Hodgkins. The petition reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas it is vital that occupational health and safety services provided to workers be conducted by organizations in which workers have faith; and

"Whereas the Workers' Health and Safety Centre and the occupational health clinics for Ontario workers have provided such services on behalf of workers for many years; and

"Whereas the centre and clinics have made a significant contribution to improvements in workplace health and safety and the reduction of injuries, illnesses and death caused by work;

"We, the undersigned, petition the Legislative Assembly of Ontario to oppose any attempt to erode the structure, services or funding of the Workers' Health and Safety Centre and the occupational health clinics for Ontario workers.

"Further we, the undersigned, demand that education and training of Ontario workers continue in its present form through the Workers' Health and Safety Centre and that professional and technical expertise and advice continue to be provided through the occupational health clinics for Ontario workers."

I add my name to theirs.

SCHOOL ACCOMMODATION

Mr John R. Baird (Nepean): I have 500 more names to add to petitions for the Barrhaven high schools. The petition reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the community of Barrhaven lacks any high schools to educate the large number of students living in this area;

"Whereas Barrhaven is the most rapidly growing community in Ottawa-Carleton;

"Whereas the National Capital Commission's greenbelt severs the community of Barrhaven from Nepean, forcing students to be bused in their community, wasting both time and money;

"Whereas St Pius X and St Paul's high schools in Nepean have 36 portables onsite;

"Whereas the Carleton Roman Catholic Separate School Board has undertaken significant cost-saving measures to help reduce the construction costs of its high schools;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We strongly urge the Minister of Education to recognize the urgent need for a Catholic high school in Barrhaven and provide the funding required to build our school."

I have affixed my signature thereto.

FIRE SAFETY

Mr Rick Bartolucci (Sudbury): This petition is a petition in response to Bill 84.

"To the Legislative Assembly of Ontario:

"Whereas the firefighters of Sudbury and Ontario are very concerned about Bill 84;

"Whereas we feel Bill 84 is unfair;

"Whereas we feel Bill 84 is discriminatory;

"Whereas we feel Bill 84 endangers the wellbeing of the people of Ontario;

"Whereas we feel Bill 84 requires extensive changes;

"Whereas we feel Bill 84 needs broad provincial public hearings before implementation;

"We, the undersigned, therefore petition the Legislative Assembly of Ontario to demand the Solicitor General to rewrite Bill 84 before being enacted into law and only after extensive public hearings across Ontario."

I affix my name to it as I agree with it.

The Speaker (Hon Chris Stockwell): Petitions? The member for Beaches-Woodbine.

ADJOURNMENT MOTION

Ms Frances Lankin (Beaches-Woodbine): Mr Speaker, I believe the government needs time to consider its orders of the day, and I move adjournment of the House.

The Speaker (Hon Chris Stockwell): The member for Beaches-Woodbine has moved adjournment of the House. Shall the motion carry?

All those in favour, please say "aye."

All those opposed, say "nay."

In my opinion, the nays have it.

Call in the members. It will be a 30-minute bell.

The division bells rang from 1507 to 1537.

The Speaker: Order. The member for Beaches-Woodbine has moved adjournment of the House.

All those in favour, please rise and remain standing.

All those opposed, please rise and remain standing.

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 28, the nays are 58.

The Speaker: I declare the motion lost.

Petitions? The member for Hamilton Mountain.

Mr Bud Wildman (Algoma): On a point of order, Mr Speaker: In light of the concern over what we're going to be doing today, I move adjournment of the House.

The Speaker: No, we're in petitions, and you can't move adjournment of the House on a point of order.

The member for Hamilton Mountain.

ORDER OF BUSINESS

Mr Trevor Pettit (Hamilton Mountain): I move that we now proceed to orders of the day.

The Speaker (Hon Chris Stockwell): The member for Hamilton Mountain has moved that we proceed to orders of the day. Shall the motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a 30-minute bell.

The division bells rang from 1539 to 1609.

The Speaker: The member for Hamilton Mountain has moved the motion that we proceed to orders of the day.

Will those in favour please rise and remain standing.

Those opposed please rise and remain standing.

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 51, the nays are 25.

The Speaker: I declare the motion carried.

ORDERS OF THE DAY

HOUSE SITTINGS

Hon David Johnson (Chair of the Management Board of Cabinet, Minister of Health, Government House Leader): Mr Speaker, government notice of motion number 13.

Mr James J. Bradley (St Catharines): The new Bill 26.

Hon David Johnson: Give me a break. This is the kind of motion we've had many, many times, and this is a motion that I heard the opposition parties clapping for.

The motion is that, notwithstanding standing order 6(a), the House shall continue to meet commencing Monday, December 16, 1996, until Thursday, December 19, 1996, and that when the House adjourns on Thursday, December 19, 1996, it stand adjourned until Monday, January 13, 1997, which date commences the spring sessional period.

Mr Bud Wildman (Algoma): Mr Speaker, on a point of order: I rise on a point of order because I'm asking you to rule on whether or not this motion contravenes the rules of this House. If you will allow me, I will explain the reasons for that view and ask you to determine whether or not you believe the motion is admissible.

First, I want to make clear, as an aside, that our caucus, and I'm sure all members of the House, are not opposed to sitting next week, nor are we opposed to meeting in January, because obviously, as opposition members, we wish to have more question periods. But the —

Interjections.

The Speaker (Hon Chris Stockwell): This is obviously going to be a point of order of some interest to all members. It would be very helpful if the heckling were kept down — I'd like to hear it — and we can get through it as quickly as we can.

Mr Wildman: Thank you, Speaker. I know I don't have to remind you of your obligation to protect the rights of the minority in this House. I refer you to Hansard of June 25, 1992, in which the member for Etobicoke West, with whom you are quite familiar, stated:

"I suppose one day, the way these rules are going, we may well end up that way, because as we tighten the noose around opposition members and we tighten the noose around government backbenchers to the point that they have fewer and fewer rights and privileges and they have less capacity to represent the people who elected them, they'll eventually become obsolete and all we'll have is three leaders, a big hall, a lot of bureaucrats and no idle conversation when they're talking."

The reason I rise on this point of order is that we have the motion put forward dealing with rule 68, which clearly states that the government cannot introduce in the last eight sessional days new bills for debate. For that reason, I believe this motion more properly should be split into two motions: one motion dealing with the extension of the session next week for one more week, four more sessional days prior to Christmas, and a second motion dealing with what the government wants to have in terms of a session in January. The way the motion is now stated is a clear attempt to circumvent the rule.

Obviously it is consistent with many precedents and with the history of this House for the government from time to time to move motions to extend the sitting of the Legislative Assembly of Ontario. In my 21 years in the House I've seen many governments do just that. But this motion is significantly different, because in the second part of the motion the government determines that spring will start early — very early. In the Legislature, spring will start on January 13, the government has decided.

The reason the government has moved this motion as it is worded is so they can get around the rule, because unlike the statement made by the Premier last week when

he said he wanted the government to have the House sit in January so that the Legislative Assembly could deal with restructuring of municipal governance, restructuring perhaps of educational governance in the province — despite that, the government, as its motion is put forward, is not talking about an extension of the House but rather a spring session beginning in January.

Interjection: Brand-new.

Mr Wildman: A new session. I remind you that we specifically dealt with the issue of introduction of new legislation in the last part of the session in rule changes that were debated in this House and were debated at great length just prior to the passage of those rules. The then third party House leader, the MPP for Parry Sound, spoke in favour of tightening the rules of the House re the passing of bills introduced very late in the scheduled sitting. He expressed satisfaction that the proposed rule changes would produce a restriction on second and third reading of bills introduced late in the session.

It's important to consider that in that debate, the member for Parry Sound, a very experienced legislator, a member of the House who was involved in discussions around rule changes and who has acted as House leader on both sides of the House, said that this rule, as was being proposed and was subsequently passed, applied not just to the last eight days of the normal session, but that the rule continues even if the session is extended. He said that he believed we had "closed a loophole in the standing order." In other words, he understood clearly what the purpose of the rule change was, that a government could not pile up legislation at the end of the session and then simply extend the session and debate new bills.

What we have here is one motion dealing with what we know it to be, an extension of this Legislature. If that's what it really is, then the rule applies, and the only reason this motion is worded as it is is, to try and get around that rule and to circumvent that rule. Bills have to be introduced prior to the last eight sessional days even if a sitting is extended. The government cannot get around that rule and must not be allowed to introduce this motion as it is worded in order to circumvent the rule.

1620

Prior to that debate, the member for Parry Sound, who was the House leader for the third party at the time, said, "I don't think any reasonable person would come to the conclusion, 'If I can just get past June 25'" — or in this case December 12 — "and have the House come back on June 29" — or December 16 — "then I can introduce 1,027 pieces of legislation and I'm entitled to get them passed next week because I've found a technical way to breach the rules." I know that would be the technical argument the government House leader might use, but I would strongly urge you to consider, Mr Speaker, the thinking and the rationale that went into and the intent behind rule 66 in the first place." It was rule 66 at that time.

Mr Sean G. Conway (Renfrew North): Who are you quoting here again?

Mr Wildman: This is the member for Parry Sound, the former government House leader and the third party House leader at the time. He said, "Surely if the government has ordered its agenda in a proper fashion, it will

have no problem at least having first reading of any bill it intends to pass"; that is, prior to the last eight sessional days. "I can see it, as it finds itself now, not being able to get its legislation passed and therefore extending the sitting of the House. But I don't think that should allow it to abrogate the spirit and intent of rule 66." Now of course it's rule 68.

Those were the words of the current Deputy Premier, who was very critical of an attempt by our government to extend the session to deal with new pieces of legislation and was calling for changes in the rules which would prevent it. Now his own government has devised a stratagem for circumventing the very rule he was defending. For that reason I believe, in line with the words of the member for Parry Sound, this motion should be split into two at the very least. I believe that unless we do that, the government is making a mockery of the rules. It's attempting to relieve itself of the responsibilities it has under standing order 68(b).

I remind you, Speaker, that standing order 68(b) represents a very particular protection for the opposition, for the minority in this House. The order reads as follows: "When the meetings of the House as provided for in...standing order 6(a)(ii) are extended by motion of the House beyond the fourth Thursday in June and the second Thursday in December, no government...bill introduced during the last eight sessional days in June, the last eight sessional days in December or in the extension period shall be called for second reading in the extended period."

Mr Gilles Pouliot (Lake Nipigon): Pretty clear.

Mr Wildman: The rule is indeed very crystal-clear. You can extend the House — it's certainly within the precedents of the assembly for the government to move a motion to extend the sittings — but within the time of that extension the government cannot require or request discussion, debate on second reading and third reading, of new legislation either in the eight sessional days at the end or in the extended period.

It's clear that in the first part of this motion we're looking at an extension to December 19, and during that period the government understands, I think, that new pieces of legislation cannot be debated at second reading or third reading. The government can introduce for first reading, but it can't debate second or third reading. In the second part of this motion, the government is saying they're hoping for a January thaw, I guess, that spring starts in January. This isn't an extension of this session, of the fall session. It's going to be a new session, a spring session, despite the fact that the rules are clear as to when the spring session commences under the calendar.

In fact what this government is attempting to allow by moving this motion is to do exactly what the member for Parry Sound said no government should do, that is, to stockpile contentious pieces of legislation until the very end of the session, to bring them in without proper notice for the opposition and without allowing proper time for debate or public consultation right at the end of the session, and then to try and get them through.

Because the government understands that the rule says they can't do it that way any more, they've changed the

rule. This motion changes the rule for this instance. The Tory government is doing exactly what other governments in the past have been criticized for by the opposition, and the rule was changed to protect the rights of the opposition and the minority in this House.

In fact, they've discovered the very loophole that the member for Parry Sound thought they had closed. They've called a January session. The January sitting is going to begin the spring session. The Premier can't be fooling anybody. Everybody understands that.

I know the government House leader doesn't like to hear this, but I have just a couple of other comments to make and I'll sit down.

First, I'd like to refer also to rule 42(c), because I believe that, in passing, this motion also contravenes that rule. That rule, as you know, provides for the distribution of opposition days, in effect. It says there will be five opposition days for motions in any scheduled sitting, that is, there will be five opposition days in about a three-month period. But the way this motion is worded, if it is allowed to proceed, the government could call — I suppose they could call any session an eight-month session in each year. They could call it the spring session or the fall session, whichever they happened to designate it, despite the calendar, and tell the opposition that the opposition is only allowed five days for opposition day motions in an eight-month period, again abrogating the rights of the minority in the House.

Interjections.

The Speaker: Members for Kitchener and Oakwood, please come to order.

Mr Wildman: For that reason, Speaker, I wish you to consider very seriously, first, whether this motion is admissible, whether it is within the orders of the House or whether it contravenes those orders, the specific ones I've referred to and that I've quoted the member for Parry Sound in dealing with.

Second, if you deem the first part to be admissible, whether or not the motion should be split and dealt with as two separate motions, so that we can deal with the extension of the House for four more sessional days prior to the Christmas break in one motion and deal in a second motion with what the government wants to designate as the spring session.

I point this out because there are other options for the government. There are other ways the government could deal with having a session in January. They could of course prorogue the House and call a new session. A second option is that they could simply ask you, Speaker, to call the House back because matters of public business have to be done.

Mr Conway: Urgent and pressing necessity.

Mr Wildman: Yes, that was the term that used to be used.

They have those other options. They don't have to use this strategy which is so obvious. It is so transparent that the government is trying to contravene the rules of the House. And it's not because they haven't been able to get things through. The two very important pieces of legislation the Premier has said he wants dealt with in this extended session haven't even been introduced yet. We haven't seen them yet. So here we are in the last part of

the session and we haven't got any legislation that the Premier has said he wants debated. They haven't even introduced them for first reading: municipal restructuring and the educational governance legislation, which comes out of the Who Does What panel.

I recall that it was the Premier himself who said that's why we had to have a session in January, not because of what's on the order paper now, but because we had to deal with what comes out of the Crombie panel. We're well into the last eight days of the session and we haven't even seen the legislation, much less have it introduced for first reading.

This government cannot get around the rules. I again ask you, Speaker, to rule on whether this is admissible and, if part of it is, whether the motion should be split into two.

1630

Hon David Johnson: Mr Speaker, on a point of order: Just to respond through the point of order on a couple of points, the House leader for the third party is expressing concern about a process that is being proposed here today. Indeed, if I look back to 1992 — June 30, 1992, to be specific — the government at that time, represented by the House leader who just spoke, did in fact amend the standing order to do a similar sort of thing to the degree that the House was adjourned until July 6 and then the House continued to meet from that point. So the House leader from the third party is arguing against a method that his own government has used.

In June 1993, on a second occurrence, again the former government moved an amendment to the standing order to extend the length of the sitting.

Mr Wildman: We're not arguing that you extend. You can extend if you wish. We'll be quite happy to have it extended. The question is whether January 13 is spring.

Hon David Johnson: The member opposite says he's not arguing that. Apparently what the member then is arguing about — he's not arguing the extension, because certainly the previous government did that on at least two occasions — is the start of the session.

The start of the session is set in granite and you cannot change the start of the session. However, they changed it. The previous government changed it in 1994. In June 1994 the previous government brought forward a motion to amend the start of the session. The start of the session would normally be the fourth Monday in September, but the government of that time did not want to start, for its own purposes, on the fourth Monday in September, so they changed the starting date. They made the starting date later in that case. That motion was ruled in order and that motion was adopted by the House. They changed the starting date of the session to October 31, over a month later. They changed the date of the starting point.

In our case, in the case of this government, we're not advocating that the session start later, as the previous government argued successfully and was ruled in order. They wanted to start later. We want to start earlier. We want to work. We want to be here to work for the people of Ontario. The previous government wanted to change the starting date so that we would not be in session, so we would not be here in this House working for the people of Ontario. That is the only difference. So the

precedent is clearly there on both counts from the previous government, ruled in order.

Finally, I would say there's an accusation perhaps about this government stockpiling legislation, or there is speculation on what may be coming that we're going to introduce and deal with in the next session. Certainly we are going to be here to deal with legislation, but I will say I have attempted to deal openly and honestly with the House leaders of the other two parties in terms of what we have on the order paper today.

What's on the order paper today, by my count, are at least 16 pieces of legislation that we are prepared to deal with this week and next week. We are prepared, if we are allowed by the opposition parties to get to these pieces of legislation — if the stalling continues, if the ringing of the bells continues, if the long debates which are obviously not required — if the foot-dragging and all the stalling would cease, we would be happy to be here and, this week and next week, deal with these 16 pieces of legislation. The reason we can't is obviously what's happening here today and what's been happening over the last several days and the ringing of the bells. That's the problem.

Interjections.

The Speaker: Can the member for Hamilton Centre please come to order; and the members for Cochrane North and Oakwood.

Mr Bradley: Mr Speaker, I'll speak on behalf of our caucus on this so you won't have a series of these. I want to indicate my support for the position that this motion is not in order. I know the motivation behind it is so the government can ram more of its legislation through. I understand the government position; I simply disagree with it.

I believe it makes good sense to split the motion because the opposition has already said, indeed encouraged the government, if it wishes to do so, to sit next week to deal with legislation. That is a given and I don't think you'd find any problem with that as a solitary motion. The argument arises when the government wishes, not to extend the motion into January — in other words, we would be happy to have this particular fall sitting extended into January and February, if the government saw fit. We're agreeable to that. We've suggested that this would be happening in any event to deal with the present legislation on the order paper.

Where argument arises is the government reinterpreting spring to commence on January 13. We know that spring begins March 21 or 22, depending on the circumstances.

Mr Gilles Bisson (Cochrane South): You're trying to legislate when spring will start.

The Speaker: Member for Cochrane South, either go back to your seat or stop that.

Mr Bradley: We really believe this is a misuse of the rules. I was very influenced by the member for Parry Sound when he was the House leader for the Conservative Party and made an argument against this. Clearly, the purpose of the rules we have in effect now — and I won't be repetitious — is to ensure that the government doesn't stack all of its legislation, particularly controversial and important legislation, to near the end of the session and then wish to have it expedited quickly. If the

government has important legislation, it should bring it in early in the session and call it for passage on a priority that the government determines. That is what they are not doing.

I too recall the intervention by the member for Etobicoke West in June 1992 — I thought it a very perceptive and persuasive intervention at the time — pointing out the problems in the use of this rule. Rule 68, as you know, says the that government cannot introduce new legislation for debate within the last eight days of a session on the parliamentary calendar. It can introduce it of course on first reading but cannot deal with second and third reading. That's sensible. I think there's been a consensus in this House with the three political parties that this was sensible.

We think that if the government wishes to bring forward a motion, it should bring forward one motion to extend the sitting into next week and a second motion to continue the fall session of the Legislature in January and February. When it wishes to prorogue or when it wishes to have an intersession for the purpose of public hearings and other hearings, it can do so.

That's important. You would recognize, as an eminent parliamentarian, Mr Speaker, that it is essential that we have this opportunity for an intersession. What the government wants to do, so I can explain it to you in very plain terms, is rush through its controversial legislation. You see, if it were simply to extend its fall session, the intersession normally might be found in February or perhaps March, and then the final stages — that is, third reading or any other committee work that had to be done in the House — would take place, we will say, in April, May and June.

1640

What the government wishes to do, however, is to have a full spring session, push everything up as far as it can and then complete everything by the end of June if it can — items that in their new legislation would normally be completed in the fall; that is, there would be a full and frank debate of the new legislation that they wish to bring forward, let's say, in April and May and June, then in the summer intersession there would be public hearings across the province to get the input I think all of us need to make legislation good legislation, then in the fall session that would be completed.

Clearly the agenda of the government is to bypass that normal procedure. They are moving up the date. The government House leader mentions moving back the date. I contend that that's substantially different than moving up the date. I believe there's a compelling reason for you, as the Speaker of this Legislature, as a person who understands the rules of this Legislature, to make a ruling that this motion, first, is out of order and, second, any motion of this kind should be split so that there is appropriate debate on both.

In fact, to be accommodating, may I tell you, I would be happy to give unanimous consent to a combined motion which removed the words "spring session" to help accommodate the government's desire to allow for a sitting next week and to come back in the fall session. I think that's a very fair suggestion. I know a fairminded government House leader would respond quickly to that,

and I think favourably to that, if it were not the agenda of the Premier and others to simply move everything up so they can ram all the controversial legislation through by June of this year.

If that's the agenda, then I know the government House leader will not agree with me. If that isn't the agenda, I know he will quickly acquiesce to what is a very sensible suggestion on my part.

The Speaker: Briefly, before I recognize the member for Dovercourt, I've heard the points of order and they were raised rather well and I certainly think I have the very good understanding of exactly where all members are on this issue. I'm not going to rule, obviously, points of order out of order, but I would ask, if you are standing subsequent to the first three, that you offer the information up front and whatever new information that you feel would provide me with more information. I don't want to cut off your opportunity but, by the same token, I don't want to create a situation where everyone will stand up and just repeat the same comments.

Mr Tony Silipo (Dovercourt): Mr Speaker, I will take your request and respect it because I want to go beyond some of the arguments that have been made and not repeat what has been said. I certainly see that what the government House leader is trying to do here and what the government is trying to do is essentially to usurp the rules as we have them. As you know, Speaker, the rules set very clearly the calendar that we have. It's something that has now been in the rules for some time, which didn't exist before, so any change from that calendar has to be looked at, I suggest to you, as carefully as needed in order to accept any changes or any deviations from that calendar.

What the government House leader is trying to do here in putting forward this motion is not only, as has been pointed out, to usurp the normal process of the calendar. They are not simply trying to extend the sittings, which again, as has been said, and I won't belabour this point, we would have no trouble accepting; they are trying in effect to create a new session, and that is essentially a significant change in the rules. Within that, you, as Speaker, have to take very seriously the impact that change in the rules has on the rights of the minority, which we in the opposition in this House have the privilege to represent.

I want to suggest to you, sir, that if you look at the rules as they are written, and mention has been made of 68(b) and I want to come back to that, again not to repeat the points that have been made but to say to you that, as I read the motion that's in front of us, the last phrase in particular, "which date commences the spring sessional period," I would make two points to you further to what has been said to you, both of which go to the heart of saying that, even if you accept the motion as it is, even if you do not split it as has been suggested by the previous speakers, I would suggest to you, sir, this motion does not do what the government House leader wants to do, which is to create a new session.

That is because, first of all, there is a reference here to the spring sessional period. This is going to sound overly technical, but we are dealing here with technicalities. There is no reference in the rules to a spring sessional

period. I suggest to you, you can't create something with a simple motion of this kind. There is a definition in the rules of two time periods during which the House sits. It's not called a spring period or a fall period; that's the jargon we use, but the rules don't define them other than through specific dates on the calendar.

Second, there is no reference in this motion in front of us to usurping or changing what's set out in rule 68(b). So I suggest to you, sir, that if you find that you cannot support the request to split these motions, you also have to find that in fact 68(b) has not been changed by this motion and that in fact the rights of the minority to be able — the government would not have the right to call for second reading legislation that they have not to this point introduced. They could continue to deal with what's on the order paper.

Again, we've suggested that we have no objection if the government wants to continue to deal with the legislation that they have properly introduced within the time lines and deal with that in whatever time extensions are necessary, and then if we deal with new legislation — they could introduce, certainly, new legislation; it just could not be called for second reading. I think if you read the rules strictly, as I believe you have to do, the first rule that we have in the rule book says that we are to be guided by the rules as they are written, and only when there is some ambiguity in the rules do you need to then go to legislative precedent.

I would suggest to you, sir, that even if you don't accept the argument that has been made around the splitting of the motions, you should not allow the government to do what it's trying to do here, which is to create a new session for the purpose of having legislation that they have not yet introduced taken on to the second reading stage, because they have not addressed that specifically as they need to in this motion and they have not therefore gotten around the requirement in 68(b).

The Speaker: I think what I shall do is recess for 20 minutes. I'll come back in 20 minutes with my decision.

The House recessed from 1648 to 1708.

The Speaker: Order. I've reviewed your comments specifically and I've got a few comments of my own.

First and foremost, the Speaker cannot split a motion; it's not within the power of the Speaker, nor can he accept a motion. In fact, a split is not within the purview of the Speaker.

Second, this motion is in order. We've had many motions in the past that have stood down standing orders, and literally in the back there were dozens and dozens of examples of motions that have stood down standing orders. All that you have asked for in opposition in your points of order is debatable. This is a substantive motion, it is debatable and it is amendable, so all that you ask at the time you may in fact debate and amend in your comments with respect to the motion.

Finally, and I think this is the most important of all, the House is supreme. The Legislature itself can change sessional periods, it can make changes to the standing orders. The House is always supreme. These are guidelines, and if a motion is in order and the House votes on it, it can change the standing orders at any time. We must remember that, because we've often in past governments,

and in examples that I've seen, seen all parties and all governments change standing orders or stand down standing orders for specific reasons.

So the motion is in order. It is also a substantive motion. It is debatable and it is amendable. Government House leader.

Mr David Christopherson (Hamilton Centre): Thanks a lot.

The Speaker: Order, the member for Hamilton Centre. I heard your comments and I heard your comments previously. I do take exception to them. I get the impression, from hearing you the first time, hearing your comments the first time and now this time, that there's some concern on your part that I am not acting impartially. I want to say to all members, particularly the opposition members and the member for Hamilton Centre specifically, I am acting impartially. I take great exception to anyone suggesting otherwise and I ask that you keep those comments to yourself, not just that comment but the comments that I heard previously. Thank you. Government House leader.

Hon David Johnson: Mr Speaker, perhaps we have debated enough the introduction to this motion, and this motion is clearly here because we do have pieces of legislation.

We have, as I indicated earlier, some 16 pieces of legislation on the agenda right now. It was the hope of this government that we would get to those pieces of legislation before Christmas. Many of the pieces of legislation are legislation that would cut through red tape and that would encourage economic growth, investment and jobs in Ontario. That indeed was the agenda of this government on assuming office in June 1995.

Many of the pieces of legislation have been on the agenda for some considerable period of time, yet we have not been able to get them to the House because there has been considerable debate around each and every motion and each and every piece of legislation. I think we would all agree in our inner souls that some of the debate has been a little bit beyond the bounds of reasonableness and in fact we could accomplish a great deal more if we set our minds to it.

In that spirit, I will acquiesce to the fact that the government is here to deal with this legislation today, tomorrow, Thursday, next week and, yes, we will be coming back in January. Perhaps this is a sad commentary that we get into a great debate on technicalities about how the government and the members of this House as a whole should come back to work in this Legislature to put through pieces of legislation for the benefit of the people of Ontario. Why do we worry about all the little technicalities? If we all applaud the fact that we should be back here and debating legislation and working for the people —

Mr Pouliot: How naïve can you be?

The Acting Speaker (Ms Marilyn Churley): Order, please. The member for Lake Nipigon, come to order.

Interjection.

The Acting Speaker: The member for Kingston and The Islands, come to order.

Hon David Johnson: — why do we need a great amount of time on a motion like this?

I would much prefer, you know, if the other two parties would say: "Look, House leader, sit down. We won't debate this. We will let this go through and we will get down to debating some of the other pieces of legislation." I'd sit down right at this moment if I could have that undertaking, but obviously it isn't going to happen. We're going to talk about a simple motion to extend the sitting to bring us back in January of next year to deal with legislation.

Mr John Gerretsen (Kingston and The Islands): It's not simple. That's the whole point.

Hon David Johnson: The member opposite I enjoy very much, but his government had a different kind of agenda and I guess in their last year they didn't have a great deal of legislation, as my colleague is indicating, so they shortened the time frame. We have the opposite problem. We have to work double time, as my colleague is saying. I think the people of Ontario would say: "Go to it. Deal with that legislation. Get rid of those rules and regulations which are impeding the business community, which are slowing down economic growth." We want Ontario to be prosperous, we want to deal with the issues in the province.

I hope very much over the next week and a half, as we sit through the extended session before Christmas, that we will be able to get to Bill 52. It's a bill out of the Ministry of Natural Resources, an aggregate and petroleum resources statute. It allows the ministry to develop compliance partnerships whereby the industry —

Mr Gerretsen: You gave this speech last week.

Hon David Johnson: It wasn't a bad speech, was it? — whereby the industry will be accountable for day-to-day site inspections and monitoring. So it puts more onus on the industry so that they can manage their own industry and encourage economic development.

Then we have an environmental approvals bill to repeal the Ontario Waste Management Corp. I hope we can get around to dealing with that. We have a whole lot of red tape bills. A bill out of the Attorney General; a bill out of citizenship and culture; one out of consumer and commercial relations to eliminate redundant procedures, for example. Aren't we all in favour of eliminating redundant procedures?

Interjection.

Hon David Johnson: Good. I'm going to hold you to that then. When we come to that bill, let's get it through. Let's get it through in a timely fashion. This will be a Christmas present for the people of Ontario. What do you say?

We have economic development. I'll get to that in a minute. Economic development: eliminating the red tape for the operation of tourist agencies. We represent a broad cross-section, we represent all of Ontario here, and there are many sections of Ontario where the tourism business is very important, I'm sure we would all agree.

Mr Wildman: It doesn't have to be a spring session to debate those. We can just extend the session.

Hon David Johnson: I'm sure the House leader of the third party would say, "We need to get that bill through."

From the Ministry of Health, removing barriers that hinder businesses and the institutional sector from competition. From the Ministry of Northern Development

and Mines, another red tape bill. We have a number of these bills that are really not complicated bills. I think all members of the House would have to agree that they're not —

Mr Bruce Crozier (Essex South): We don't like where they came from.

Hon David Johnson: Well, you may not like the source where they came from. We are different political parties, I agree. I'm sorry, I don't make any apologies for that, I can't change that. In our heart of hearts I think — and I'm looking to some of the people, particularly in the official opposition, who may have come from the business sector, and the member of the third party as well. Surely we want to encourage job creation in the private sector.

Bill 82, the family support in arrears, we will be dealing with that. Bill 84 we dealt with yesterday, spoke to at great length. One thing about Bill 84, which involves fire protection and prevention in Ontario, I don't have any doubt there will be amendments to Bill 84. Do any of us have any doubt there will be amendments to Bill 84? Do any of us have any doubt that we will —

Mr Gerretsen: I have serious doubts. Just wait until the firefighters come along.

Hon David Johnson: Yes, there will be amendments. Sure. There will be voices. There will be those who will speak to Bill 84. We want to hear them.

Mr Bradley: When?

Hon David Johnson: When?

Mr Bradley: When is the intersession?

Hon David Johnson: The House leader for the opposition party says, "When?" I would say to the House leader from the opposition, if we could get second reading of this bill, we would then get it out for public hearings.

Mr Bradley: When?

Hon David Johnson: When would that be? Obviously that would be next year. Some of the hearings would be here in Toronto, some of the hearings would be across the province. Probably, I would say it's quite possible that in the month of March we would have some of those hearings. But we need to work together as a House, all parties, to get that out, get second reading, get it out and allow those firefighters to have a say in this bill.

Bill 86, the Better Local Government Act: The member for Wellington today has indicated to me that in his area those involved in local politics are saying we must get this Bill 86 through, because Bill 86 is involved with the municipal election, and the municipal election officially starts on January 1, 1997. This is another one we need to deal with — and road safety. We've got quite a number —

Mr Bradley: The Tenant Protection Act.

Hon David Johnson: Yes, the member opposite, the House leader for the official opposition, asked about the Tenant Protection Act, another bill that will have a great deal of public input. We welcome the public input. The procedure would be to have second reading now, get it out there, and let the public all across the province have a say.

Is my time expiring?

1720

Mr Gilles Bisson (Cochrane South): Are you filibustering again?

Hon David Johnson: Sit there, relax. I won't be long. I want us to get finished with this quickly, and then let's get on with debating another bill. What do you say we debate the environment bill this afternoon? Let's finish this and debate Bill 57, the environment bill.

Mr Pouliot: Stop playing games, Johnson. Get on with it.

Hon David Johnson: I guess that means no, Madam Speaker.

Coming back on January 13 is unusual. It is unusual. Mostly the House doesn't come back until March, but we have, we feel, a great deal to accomplish. This government, through the Who Does What process, has asked that panel to look at various services, particularly within the municipal sector: How can we make municipal government more efficient and more effective with the interface between the province and the municipalities? What can we do to make it more accountable, more simple, more cost-effective?

For years the municipalities have been saying, "Let one level of government deliver the service," whatever service it is, whether it's welfare or roads or transit or whatever it is. "Let the same level of government pay for it and let that level of government be accountable. In that fashion you will certainly get the best value for the taxpayer's dollar." I hope, as our legislation comes through, that that's what will be reflected. I think that's what we're trying to accomplish in a broad way, and there will be pieces of legislation which will come through which will attempt to make the provincial-municipal relationship more accountable, more simple, more cost-effective.

This government was elected, I believe, on that sort of platform, with those sorts of promises, and we are attempting to deliver. I think in the heart of hearts of all the members of this House we all agree that this is the kind of thing. Certainly I know, Madam Speaker, the government that you represented between 1990 and 1995 — so capably, I might say — was involved in the disentanglement process and spent years studying disentanglement, which tried to do exactly the same thing with the municipalities. Unfortunately, I think it was because of the social contract, or the expenditure control program maybe, when that was introduced in 1993, I think it was, that the municipalities got a little angry. As a result —

Mr Floyd Laughren (Nickel Belt): You're understating it.

Hon David Johnson: — got angry, got really angry, got very upset. They weren't too spot on, I don't think, at that point, so the whole disentanglement process collapsed. I think, particularly for the members from the third party, you may recognize in the process we're going through some of the key elements that you went through back in perhaps the early 1990s. You may say, "Well, this is the kind of approach that we really need to simplify and make more accountable."

So yes, we will be coming back in January. We will be working hard for the people of Ontario. I think I'll sit down at this point and hopefully encourage all members to have their say. But this is a basic procedure. This is

the kind of procedure which has been introduced in many fashions in the past, so normally we wouldn't debate this for hours and hours. Normally this would be dealt with fairly quickly. Can we agree to do that today, and can we agree to get on with some of these pieces of legislation that are needed here in Ontario?

The Acting Speaker: Further debate?

Mr Conway: I want to rise to speak to government notice of motion number 13, standing in the name of the leader of the government in the assembly, Mr Johnson, the minister of everything. He's an interesting and impressive fellow, the minister of everything. I was watching him —

Mr Pouliot: Not for long.

The Acting Speaker: Member for Lake Nipigon.

Mr Conway: By the way, I thought that was a good debate on the efficacy of the motion. I will say no more about that, but I think the opinions have been canvassed.

I was watching the government House leader. He reminded me, interestingly, of two Liberals. The first is Pierre Trudeau.

Mr Laughren: All rolled into one.

Mr Conway: No, no. Just hear me out. Watching Dave Johnson in the midst of all of this parliamentary mire sort of reminds me of Pierre Trudeau in Parliament. They were both sort of Cartesians, this one more than Trudeau, Johnson more than Trudeau.

Mr Bradley: What is a Cartesian?

Mr Conway: Check the dictionary, but mathematical in their instinct and method, I guess I would say.

You could just see the government House leader awash in all of this arcane parliamentary whatever that we inherited from Westminster and —

Mr Ted Chudleigh (Halton North): He's lost for words.

Mr Conway: Well, no. But he also reminded me of another famous Liberal, Clarence Decatur Howe: "I've got a pipeline to build, so, John Diefenbaker and Stanley Knowles, get out of my way." There is not a government House leader around who doesn't feel that instinct. Few, I know, would be so felicitous in the expression of the government imperative as our friend from Don Mills, and that again is to his particular credit.

He's got a terrible job, and I say to his colleagues, I hope you comfort him through what is going to be an even more difficult festive season, because governments represent the executive responsibility and the decision-making aspect of our system. One of the memories I have is that there were very few people in the executive and administrative branch who either knew about or cared about this thing called Parliament. What is it? A bunch of overpaid, underoccupied flannelmouths who just have nothing else to do besides make speeches.

Interjection.

Mr Conway: Did the minister of highways say, "You're right on that"? If he did, he'd represent a clear majority of people I've met in the executive branch, irrespective of the political stripe of the government. This government House leader is not wrong in observing some of the precedents.

I was interested in the Speaker's ruling, because of course it talks about the supremacy of Parliament. That

is correct political science, but it is substantially irrelevant in a majority Parliament, whether that majority Parliament be Tory, Liberal or New Democrat, and we've seen in the last 15 years lots of evidence to prove that point.

The supremacy in a majority Parliament now resides in the government caucus, and to a very real extent that reality has reduced this place to such an extent that some of the elegant, gilt-edged political science that informs some of the Speaker's rulings is just that. It is just that, gilt-edged irrelevance, because anybody who knows anything knows that all that means is that the government House leader or, more likely, the chief government whip decides what Parliament wants and what Parliament is going to get, particularly at voting time.

I say to my friends the members for Nickel Belt and Algoma, as a couple of the few people who now remember a pure minority environment situation — you have to go back to 1975 to 1981, but particularly 1975 to 1977, to really say that we had a pure minority Parliament situation. I'll tell you, when you've got a minority Parliament, you understand that it is a different reality. That is as it should be, I suppose, but I guess I would simply say to whomever I ought to say this, spare me the lecture about, "Parliament will decide." That was Mackenzie King's great crutch, "Parliament will decide," which meant, "I, Mackenzie King, together with Jack Pickersgill and a few other mandarins, will bloody well decide what is going to happen here, and I'm going to serve it up on a platter, and the Gordon Graydons and the George Drews of the world are going to digest this whether they like it or not."

We have a motion that, as the members for St Catharines and Algoma observed in their points of order, does a number of things that clearly speak to the government's agenda. The government has important business to do. That cannot be denied. It was interesting to me that the government House leader held up a sheet of paper with various and sundry bills from the rewrite of the fire protection act, to the better government act, to the Fewer Politicians Act, to the environmental re-regulation act.

1730

Those are all important pieces of legislation, and that's before we get the handicraft of Paul Godfrey, author of the Who Does What legislation. When Paul gets finished writing that package of legislative initiatives, we are really going to be seized of something important, significant, tax-impacting and revolutionary.

Al Leach and Dave Crombie can take the noon balloon to Rangoon, but Paul Godfrey, like Dave Johnson, has a railroad to run, and when Paul gets that schedule finalized — it shouldn't be much longer now before the real minister responsible for disentanglement and Who Does What, Paul Godfrey, publisher of the independent, dispassionate, evenhanded Toronto Sun — when Paul finishes his work, we really will have a legislative agenda that will look like a Christmas tree.

I say to the government House leader that you have, as my friend from Algoma has observed, with this apparently innocent motion recalibrated springtime. I don't imagine there is anyone in Leaside or Lake Nipigon or Lanark who would be disappointed to know that it is

within the power of Dave Johnson to bring spring forward by a full two months.

So there be no confusion, again I like that sort of boy scout innocence of the government House leader, "Quoi? Moi? Incroyable."

Mr Bradley: It betrays a slyness not known to —

Mr Conway: I don't know that the member for Don Mills is sly. I don't know that this would be a fair thing to observe, but this motion has some very happy consequences. For example —

Mr Bradley: I use that word in a complimentary way.

Mr Conway: One House leader talking about another has to be complimentary.

It's going to be very interesting. The House leader for the third party didn't observe this, but whenever we get to an intercession we are going to be a very busy group of people, and that is as it should be. But there is a third party here with 15 or 16 members, depending on how and where you count the current member for Lake Nipigon.

I don't imagine now that we will break much before the end of February, early March. I would have to think, for some of the reasons advanced by the government House leader, if you're going to restructure Hastings county and recalibrate who pays what for school taxes up in Harry Danford's world, you are going to have to pass some very important legislation that, trust me, in Gilmour and St Ola is going to get people's attention, and before it's passed, those good folks up at Limerick Lake, Harry, are going to expect to get a chance to come to Kingston or Belleville to speak their piece.

You've got a lot to do, and that intersession, whenever it comes, is going to be one very busy and exciting time for all and sundry.

The members from Sarnia and Lambton and I are this week seized of the hospital business. Some of you are going to join this parade in a little more formal way in a very short time. I tell you, and I have great respect for the members from Sarnia and Lambton, because —

Mr Laughren: He speaks his mind.

Mr Conway: Listen, I've been reading the Sudbury papers, and as I speak tonight my constituents, particularly in and around the Pembroke area, are upset, and increasingly so, because we have as part of our executive government — remember Bill 26? You create a commission, you give them unprecedented powers, you send them out under the aegis of the very respected Dr Duncan Sinclair and you say: "Well, we've got to take this out of politics. We can't let the Palladins and the Fishers and the Conways and the Wildmans make these decisions. No, we'll take this out of politics and we will send George Lund and Maureen Law and people of such esteem into Petrolia and Pembroke and Sudbury and Thunder Bay, and yes, soon in Ottawa, London, Toronto, Hamilton, and we will, in a dispassionate, antiseptic way, make these decisions."

Well, I'm going to tell you, that's the debate that's exciting my community today. This Harris government commission came into Pembroke last week and said: "We're taking over 40% of your hospital budget out of this city on a permanent basis. We are going to take \$14 million out of the Pembroke hospital budget on an annual basis for years to come. And by the way, 300 health care

and hospital workers in the city of Pembroke are going to lose their jobs." That's what people in my community are talking about.

What opportunity do I have before Christmas to talk about that in this place? I'm going to use a little bit of this time this afternoon to speak to it. Those are the kinds of issues. Are we going to be allowed by the government House leader and by the chief government whip and certainly by the Minister of Health to have any kind of formal, legislative debate around what's going on in our communities on, I would submit, the single most important and sensitive issue facing the nation, namely, the future of hospital services?

Let me be the first to say, I do not argue for the status quo. There has to be change. There's been a lot of change over the last number of years. If this was a parliamentary place worth its salt and its reputation, I think we'd be having a little more of that debate in these weeks and months, but because of this growing tendency towards executive government, "Get it out of politics," — the whole idea is so laughable.

The member for Sarnia is here. The member from Petrolia is not far away. They would want to join with me. I'm sure you're finding a lot of satisfaction when you pick up the phone, Mr Boushy, and tell the hundreds of people who must be calling your office in Sarnia: "Oh well, you know that's beyond me. That's beyond politics. That's all about the commission." "Do I see the commission on the ballot? No. I don't think I voted for Maureen Law or Duncan Sinclair. I think I voted for Boushy or Conway or Beaubien or Wilson."

My point in raising some of these issues is: What are we? What have we become? We've always been one of the most executive-centred, executive-dominated parliamentary places in the British Commonwealth. Again, I like to say to Ontario Tories, God, is there a more classic example of what we might all aspire to than the British Conservative Party? Talk about a feisty independent outfit — there's one. Can you imagine, as I've said to you on a few occasions recently, a government caucus in this place bringing down one of the most famous and successful prime ministers in this century in Britain? Could you imagine the current member for Nepean standing up and staring down Mike Harris in the way the Thatcher caucus not only stared her down, but rolled her out of 10 Downing Street. It would be inconceivable.

Mr Toby Barrett (Norfolk): A tragedy.

Mr Conway: He says a tragedy, and that may be just exactly what he believes. I have to believe it is what he believes. This place is apparently a rubber stamp for whatever it is the current executive decides.

At the risk of being a bit mischievous, I say to be my NDP friends, I remember a few years ago a lot of very good people were elected in 1990 and many of them just thought this was a plebiscitarian place. They said: "We won the election in September 1990" — and they did in quite splendid fashion — "we won a mandate to do whatever we choose over the next five years, and your job is to sit there, be reasonably compliant, mind your Ps and Qs and we'll debate this five years hence." That was the view of a number of people.

There are undoubtedly Liberals who have been here, certainly I'm sure in the period 1987 to 1990, who I know had similar views. The only problem with that is that that's not the way our system was intended to work. Maybe we ought to change it, and we certainly have been changing it.

Oppositions in our system have a responsibility to delay and to scrutinize. They have a responsibility to behave themselves as well, I might add. There comes a point in time when any government House leader has the right and, I would submit, the obligation, to move the business along.

1740

I was interested last night to hear some pretty lively debates, none more lively than the debate offered by the member for Hamilton Centre on the fireman's act, as I will call it. It was a good debate. I sat here most of the night till midnight, and a number of people got up. The redoubtable member from Humber intervened with a very passionate defence of government policy, I thought very effectively. He did more with two minutes than I've ever been able to do with two minutes in my 21 years. He was good. I thought the member for Hamilton Centre was classic, and a number of other people engaged in the debate. But I think to a neutral observer it was quite clear that, as in most matters, the debate was about interests. It was —

Mr Laughren: How about the member from Bedrock?

Mr Conway: Oh please, I say to the member for Nickel Belt. I do not want to tease or excite any enthusiasms in Rexdale.

But the debate was all about interests. It seemed to me that the government took the view, not surprisingly for either a government or a Conservative point of view, that management, as represented by the fire chiefs, had the more commendable position on hours of work and who was inside the bargaining unit and other related issues. A number of New Democrats and Liberals seemed to be more concerned about the perspective of people in that bargaining unit. I don't want to get into that debate, but it was clear, I think, to anyone who paid any attention that it was a debate about interests, and the interests were and are in some respects in that issue, as in most issues that come before us, sharply divided, if not confrontational or contradictory. We have to recognize that.

Offering up some bromide about how we should all make cute little speeches and just be sociable is quite nice, but remember what Parliament is: Parliament is a place where you bring a bunch of often highly charged, very controversial issues and try to work out a resolution. That's why we have the rules that we've got. While some things are trivial and pass on the nod, a lot of things — and certainly a lot of things that we are going to be dealing with in the coming weeks and months — are going to be some of the most controversial things that this Legislature has faced in a long time. I don't fault the government for that.

I'm one of those oppositionists over here who keeps saying — I go home on the weekend, and the teachers are anxious and the nurses are anxious and the public servants are anxious and the reeves are anxious and the firemen are anxious.

Interjection.

Mr Conway: Oh, they are always anxious about my coming home.

The people who depend on hospitals are concerned, the parents of school age kids are concerned, and there's a point when I think, "This is starting to sound familiar." In the words of the former, late member for Ottawa South, Dalton McGuinty Sr — I think this story is well known; I'll tell it even if it isn't. I remember the day he walked into our caucus, some time about 1989 and said something like, "What is this," meaning the Peterson government of the day, "Operation Alienation?" Quite frankly, Dalton McGuinty Sr was right. We were on our way to alienating a lot of people.

I know this government would learn from our mistakes, and nowhere more so than when they get into the megacity and when they get into restructuring. Did you read John Barber in the *Globe and Mail* today? Boy, does that bring back memories. The late and sainted James N. Allan — I remember Jimmy Allan talking about, "My God, if I had ever known what those whiz kids up in Bill Davis's office had in mind for the on-the-ground changes in Haldimand-Norfolk, I would have fought a different kind of battle." But by the time the heather was afire, it was too late, and as I said the other night, one of the ablest parliamentarians that ever came to this place and one of the truly great people here was just swept aside in a tide that was rolling pretty strongly.

So 20 years later, when people — you know when Paul Godfrey says: "Give it to me. I'll show you how to do it. I'll correct the mistakes that people like Jim Fleck" — Floyd, help me — "and the other whiz kid make." Oh, the former Deputy Minister of Energy, Malcolm Rowan. I mean, boy, they'd all been to the Harvard Business School. That Lorne Henderson, what did he know? I don't know that Lorne had even been to high school. They'd all been to the Harvard Business School.

Mr Laughren: Not to mention Hughie Segal.

Mr Conway: And Hughie Segal. Well, Hughie was like a heavier version of George Stephanopoulos. Hughie was working the spin 24 hours a day and was not sure at the end of a week which side he had been on in the beginning of the week on some of these issues.

But we are faced with a situation where the government wants to proceed with a lot of work, and that is as it should be. As my father would say, if he were here: "You people are paid for 12 months of the year. Surely it's not too much to expect that you work for at least 11 months and whatever time you have to set aside for statutory holidays and a reasonable holiday schedule."

I say, bring it on. You get me that Paul Godfrey package of municipal reforms, and I hope you ram it down my throat, because I have a feeling that Paul Godfrey isn't going to be any better at this than his predecessors and that by the time you figure it out, Al Leach truly will be sailing someplace in the Caribbean and Al Palladini may be collecting tolls on a personal basis up on Highway 407. But that's your right, and nobody can quarrel with that.

I think an opposition has a right, and the public out there has a right, to expect a reasonable opportunity to

have some knowledge of what's on the agenda, what it actually means. As a former government House leader I was always struck by how many people in the know couldn't even distinguish, for a lot of good reasons, I suppose, between a government bill and the Laughren private member's bill on Thursday morning, or how many people, after we'd advertised what I thought was an appropriate length of time, knew hardly anything about what the government was intending.

I think we have an obligation to proceed in an orderly fashion, allowing enough time for the Legislature to do its work, which is to receive the government initiatives, analyse, amend, challenge, digest, take them out to the standing committees in communities — not every community, obviously, but a reasonable number in eastern, southwestern and midnorthern and northern Ontario — so that people affected by all this can have some awareness and some opportunity to have their say.

I spent a couple of days this summer, and I've been around here a long time, filling in on the famous VLT committee in Sudbury. I was astonished after all these years how much — I was astonished by just how good the process was. A woman came down from Kapuskasing, I think, and was she good. She was just talking about their organizations and what these VLTs — I don't want to get into the specifics, but I tell you, as a legislator she made an enormous impact on me and on my thoughts around a policy that I don't profess to understand nearly as well as my friend from St Catharines or our critic from Leamington.

The motion is one that invites us to cooperate with the government's business. I'm certainly willing to do that. I look at the motion, and clearly it makes provision for a spring session to begin in January. That has some very significant technical fallout both for the assembly and the public at large, because at some point you have to ask yourself the question. Presumably there's going to be some kind of intersession; presumably during that intersession the Paul Godfrey municipal reform, some of the things the government House leader was talking about, are going to go out for some response. Some of this stuff has a very tight time line. I understand that. The Godfrey reforms are going to be absolutely critical, and it's already December 10.

I'm not so sure that some sober second thought and some very careful Conservative movement on some of this stuff isn't good public policy. As an opposition politician it may be very good politics for me to rush the thing through as quickly as it appears to be going.

1750

I simply raise some of those issues because I think they're real issues, and it does not serve the assembly well or the public well to have some not particularly good legislation passing into law. Some of you may remember — here again, have we got anybody from the NDP? — we had a package of bills in the previous Parliament around consent to treatment. I remember getting a package of amendments that was just stupendous. I didn't know a great deal about the particulars of the policy but I knew one thing: When I saw that number of amendments, it was quite clear that the initial proposals, however well intentioned, were very preliminary. I

had to wonder, even with all these changes. When you see that kind of legislation being amended so dramatically and quickly and people, whether they agree with the policy or not, tell you, "I'm warning you, this is trouble on the ground," in Halton Hills or wherever, I think we as legislators have an obligation to pay some attention to that.

There has been a fair bit of that in recent years, because governments have ministerial assistants, they've got assistant deputy ministers and their primary concern is to win the policy fight at cabinet. Get that Minister of Transportation in there. Palladini doesn't have to worry about Conway and Bradley. He has to really worry, and his officials know this, about beating back that awful Minister of Finance and his pal the president of the treasury board, fighting back the endless assaults of the Minister of Environment and Energy, who has all these nasty questions about whether or not these are good, meritorious things. That's what the minister of highways has to worry about.

So in our system, when the minister of highways gets through all that, he can be excused, and of the whole lot in the department he's probably — I just picked that department. I believe it to be true in almost all departments. The House: "Listen, we've got a majority government? We do. Turnbull, how many votes have we got, 82? What have Bradley and Wildman got? I think they've got maybe 41 or 42." You know, Bill Davis's math notwithstanding, I think that's still twice as many, so call the vote and shove it down their throats. The legislative process is truly, if not an afterthought, so secondary as to be scarcely visible on this horizon.

Mr Bradley: What happens when they find out about it in Virgil?

Mr Conway: Oh, in Virgil. There's a good car dealership in Virgil, as I recall. I don't know whether it's still there.

I come back to some other points I want to make this afternoon. There's a whole lot of business that concerns our constituents that we're not spending any time with. I repeat: The issue in my community that is far and away the most important issue today is what happened to our hospitals last week. That's what people want to talk about. If they tune on the television tonight, that's what they expect their member of Parliament — I suspect that's what they want the member for Sarnia to be talking about, and he has been talking about it. I know there's a difference between being in a government caucus and being an unrestricted oppositionist, but people in the community, whether that community is Willowdale or Sarnia or Pembroke or St Catharines or Woodbridge, are concerned about: Is the hospital open? Is the doctor available? Are my kids able to go to a good educational program?

Let's talk about hospitals. Boushy and Beaubien and I are not giving — there's going to be little if anything in here to talk about this hospital closure commission and the criteria by which it's operating. We just accept it, as a Legislature, because a year ago in the great hubbub of the Bill 26 debate — there was lots of fine print there. The fine print is now becoming headline news in places like Petrolia and Pembroke and Sarnia. I'll use the

Pembroke example: "They're going to what? They're going to take the active treatment beds down from 142 to 87? They're going to close a century-old hospital?" One of the big areas of saving in my community is \$2.5 million annually out of the chronic care budget.

Mr Tom Froese (St Catharines-Brock): You make it sound as though everything is fine. They keep spending money.

Mr Conway: You see, I say to my friend from Brock, everything is not fine, but I'm not going to be provocative by reminding the House about what Mr Harris said in the leaders' debate and what he both said and/or implied, in a wonderfully political fashion, "Not a penny out of health care." How would you like to be in Petrolia and think, "I voted for Beaubien," or in Pembroke, "I voted for the Conservative candidate," and I thought, "Not a penny out of health care"? A reasonable person might conclude that that wasn't going to mean a 40% reduction on a permanent basis to the hospital funding in the community.

Mr Froese: We're talking about reinvestment.

Interjection: Oh, yeah, you're not going to reinvest it all.

Mr Conway: No, to be fair, the member from Brock says, "We're going to reinvest." I look again at the Pembroke proposal of last week, the preliminary report from the Sinclair commission. When you calculate the reinvestment, and they talk about a reinvestment, they're going to take out approximately \$15 million annually and they're going to reinvest about \$2 million annually. So, the net loss on an annual basis, after the reinvestment is calculated, is in the order of \$13 million.

Mr Bradley: That goes to pay for the tax cut.

Mr Conway: My point is that there are —

Mr Douglas B. Ford (Etobicoke-Humber): Those rich guys again, eh?

Mr Bradley: A tax cut for the rich, you're right.

The Acting Speaker: Order, please. The members for Etobicoke-Humber and St Catharines, come to order.

Mr Conway: I'm trying to imagine what this looks like to the citizen in downtown Pembroke or in downtown Sarnia. I want to say, on behalf of the members for Sarnia and Lambton, and I've been here longer than most of you and I should by now have developed a fairly tough hide and I've been through some — but there's nothing quite like going to the arena to meet the 800 or 1,000 people who want to know why you've closed their hospital.

I have observed across the aisle the last few weeks, has anybody talked to Frank Miller? I know he's yesterday's man, and I've made light of the fact that Frank went around closing hospitals and people like Larry Grossman came behind him, particularly in Toronto, and opened them. I know it's a heroic new day and it's a revolutionary new mandate and you're not the kind of spineless milquetoasts that those Davis Tories were; you're real men and women.

Mr Ford: Spineless milquetoasts.

Mr Conway: Surely that's what I mean, because I can just hear it, the Thatcherites over there like the member for Nepean: "Bill Davis is Ted Heath. I want a real man. Give me Margaret Thatcher." That's political spine. That's the willingness to see it through to the bitter end.

I think the member for Bruce may be agreeing with my assessment of things. You know, I say to the member for Bruce I read the Bruce press.

Mrs Barbara Fisher (Bruce): So do I.

Mr Conway: She well ought to read the Bruce press, because I'll tell you, up in Kincardine — I'm just looking at the energy account. I think this revolution has slightly less appeal and slightly more concern for the member for Bruce in downtown Kincardine and Southhampton than it might in that government caucus room downstairs —

Mrs Fisher: No, it doesn't.

Mr Conway: — where together, buttressed by the members from Brampton and Nepean and, God forbid, Scarborough-Canadian Tire, she gets her spine strengthened with high-octane David Frum conservatism. But it's not clear to me that that gasoline product sells as well or goes as far on Main Street, Bruce county. We shall see what we shall see.

But these are the issues, the hospital closures, what they mean to young, middle-aged and, particularly, older people. In Renfrew county today, I can assure you the number one issue is, how is it possible that we can live with \$14 million less on an annual basis in a community, if you take the surrounding service area, of about 40,000? That is an astonishing reduction, with an enormous impact on not just the remaining hospital and institutional sector but on the home care and other community services. That's what they want to know that there is some debate about. They hope that there is some appeal to and appeal from some of the very rigorous judgements that have been handed down on a preliminary basis by the Sinclair commission.

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But again, we're not dealing with any of that because of course in Bill 26 we delegated that responsibility out to a government-appointed and a ministerially controlled commission, and we did so ostensibly because we wanted to take it out of politics, out of this place.

My friend the judge from Ottawa-Rideau smiles appropriately and knowingly. You've got to like the judge, because the judge is where he's always been, which is in politics. And no shrinking violet is the judge. Do you want to know what the judge thinks? You ask the judge and he'll tell you in bold print. I suspect the Ottawa press will be full of the judge by about the third or fourth week of January, because my sources tell me that what the hospital surgery in Pembroke announced on a preliminary basis last week is as nothing compared to what will happen in old Bytown and environs within the next couple of months.

I want, in the remaining moments, to talk a little bit about an issue that is also health-related and that is on my mind this week, and this is not going to surprise members. I'm going to do so because the substantive motion before me, dealing with the business of the government, the business of the assembly, allows me probably the best opportunity I'm going to have in the next few weeks to deal with this matter of, I believe, urgent and pressing necessity, and that is the circumstances surrounding the departure earlier this week of the member for Simcoe West from his departmental responsibility as the Minister of Health.

I'm not a happy person about this. I can't believe there's anybody in the chamber who's particularly happy about what we've seen this week. Part of the reason why I am not willing to let this go, for the moment at least, is that I know Jim Wilson. I've watched Jim Wilson operate for the past number of years. He is not a foolish man. Jim Wilson may be a hot-tempered fellow, I admit that, but I've watched him since his arrival here in 1990. He is very hardworking, knowledgeable about the issues, somebody who has certainly soaked up the chemistry of this place, its successes and its sorrows.

This Brett James, who is in the news — I was checking the old government directories from four or five years ago. It's very interesting. Brett James is no neophyte either. He's been around here for four or five years. The book on Brett James is that he is a very diligent, effective, hardworking, well-respected person, not just within the old Tory caucus but, talking to some people not associated with the government caucus, someone who had a good reputation around Queen's Park Circle.

So it is against that backdrop that I want to spend a few moments this afternoon reviewing what has happened to date. I don't want to beat an old horse, and I know some people think that I might be about to do that. I am one of the few people left around here who sat through the entire Martel inquiry. I'm not here to abuse any of our colleagues, but there were two things — well, I say that seriously because if you've ever been in government, if you've ever been in a position of responsibility, let me tell you, a lot of things can happen that can really embarrass you and that can sometimes end your career.

Darcy McKeough walked out of here with a resignation one day that he didn't plan, and it was the most inadvertent thing that could have happened. In a very honourable way he got up and he walked out of here. Boy, he didn't plan it and it was accidental. When you see that happen to somebody, you become very careful.

But the thing I remember, and why I am absolutely unwilling to be as tolerant as I might otherwise be in this matter, is what I lived through as perhaps a too-naïve, 16-year veteran of the assembly at the time of that so-called Martel incident. I remember I just was absolutely flabbergasted at a couple of things in that. The thing I will always remember, those of us who were on, I think, the committee as a whole or some of us on the steering committee actually saw the document that came out of OHIP about Dr Donahue in Sudbury.

Just to summarize briefly what was happening, and Bud may have to help me here, it was in the summer-fall of 1991. The Rae government had taken office and was facing a number of difficult situations. There were some actions taken with respect to the payment of physicians. Was it the early days of the cap on physicians' fees? It was not popular and there were a number of doctors, many in the community, certainly in Sudbury, who decided to fight back in the good, expected, democratic way.

One of the key players in the Sudbury area leading the charge against the Rae government health care initiative was a Dr Donahue. Never heard of the man before, got to know a lot about him in the space of the winter of 1991-92.

Mr Wildman: There's an Anglo-Irish cabal in Sudbury of doctors.

Mr Conway: I'm not going to get into that, but there was, suffice it to say, a very active group of physicians in Sudbury who were really upset about what the Rae-Laughren government were doing. Frances Lankin, I think, was the minister — well, think about it. An NDP stronghold like Sudbury, it's no surprise that would happen. Anyway, Dr Donahue led the charge, or was active in the charge, against some of these government initiatives.

The great irony — again I thought of Mackenzie King the other day, for some bizarre reason, because I was looking at the records and we rose here on Monday, five years to the hour of that moment on Monday, December 9, 1991, when Mike Harris stood in his place to tell the Legislature about a conversation he had just had with Evelyn Dodds. Evelyn Dodds is, like, real special. If you've ever been a public official dealing with the Lakehead, you've met Evelyn Dodds. She is a very vigorous, vociferous, colourful individual, served on school board, on city council and has had some very clear and active and good involvement with Progressive Conservative politics in the Lakehead.

Very briefly, what happened in that case was that Evelyn Dodds was at some kind of cocktail reception on the Thursday night previous. We're now talking about December 5 or 6, 1991, in Thunder Bay. She came upon the Minister of Northern Development, Ms Martel, and they apparently had a discussion. During that discussion the Minister of Northern Development was alleged by Ms Dodds to have said some rather disparaging things about this Dr Donahue.

As I remember it, and I'm just recalling it — I could get into the material, but I won't — it was something along the lines of Martel saying to Dodds: "If you knew what I knew about Dr Donahue, you'd be very careful about taking his side in this. I know a fair bit about Dr Donahue, and there may be some trouble there at OHIP and there may be charges pending, or about to be laid." And some other things.

That was a Thursday night. On Friday, as it happens, Ms Dodds, who I think worked as a manager in a medical office at the time in Thunder Bay, happened to be in Toronto, and I think it was the next day or the day after, she happened to meet some senior people at the Ministry of Health. She informed them what the minister had said about Dr Donahue, and how would she know that? It quickly became a debate in here about, was there any evidence to suggest that a cabinet minister knew something about the confidential medical and billing records of an Ontario physician?

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An inquiry was struck by the Legislature, ably headed by Steven Offer, former member for Mississauga North, and, on that committee the current minister of justice and the current Minister of Finance and the current Minister of Agriculture were either full-time or part-time members. I was there for almost all of it.

We were never to establish that Minister Martel had in her possession confidential medical information from OHIP, but what the committee did find out — and this

was the part that just astonished me — was that there had been sent from the OHIP office in Kingston an extraordinary memo of two or three pages. It was clear that the memo was requisitioned by somebody important in the office of the Minister of Health. It was something along the lines of, "Obviously, somebody wants to know or needs to know something about Dr Donahue."

There arrived shortly thereafter a memo: "You want to know about Dr Donahue? We'll tell you some things about Dr Donahue." I'm telling you, in three pages there was quite a story. Whether it was true, I don't know. It certainly came from OHIP and it contained the most unbelievably precise numbers and editorial comment about practices that I could have ever imagined. The difficulty for the then Minister of Northern Development was that you didn't have to be Einstein to make a connection between that memo and some of the things that were being said.

Bob MacMillan, who was then the general manager of OHIP — good guy, Bob MacMillan, in my experience, former president of the OMA, former assistant deputy minister at the Ministry of Health as well, a smart guy, well connected — was horrified that this had happened. I was astonished by the way the memo was written by a guy I went to Queen's University with. I'm not exactly naïve, but I didn't think even then, after all of the years in government and opposition, that anybody would ever put this kind of stuff on paper and send it to a minister's office, but it apparently happened.

The upshot of all of that was that there were solemn promises, honourably given and certainly asked for, around a new protocol so that this would never happen again, for obvious reasons, and we all believed it. I certainly believed it, and I believed it just from the point of view of self-protection and preservation.

Evelyn Gigantes got in trouble here for having something in her briefing book that she should never have had because when you're a minister, as my friend from Woodbridge will tell you, you're so busy fighting off the Minister of Finance and the Minister of Environment and Energy and all the rest, you can't always be sure that you're not going to say something. So if you shouldn't have it for public use, don't put it in a briefing book. Ms Gigantes regrettably had it in a briefing book and quite inadvertently spit it out and it was over for her. She was gone.

But this Martel affair was infinitely more serious because it was quite evident that somebody in high office had asked for some very sensitive information around the confidential billing records and medical practices of a physician who was out there doing battle with the Ontario government, and that information had gotten into the political realm.

It may or may not have been seen by the Minister of Northern Development, but certainly some things were said in the public domain about Dr Donahue by that minister that if you had seen that memo, as I did, and heard the utterances associated with the Minister of Northern Development, a reasonable person would have to believe that there could very well have been something more than accidental here. But after the Martel incident, OHIP, the then Minister of Health, the Deputy Minister

of Health and everybody around the place promised properly and solemnly and repeatedly that this would not happen again.

Now we get to last Saturday. What do we have? By the way —

Hon Al Palladini (Minister of Transportation): Whatever comes to mind.

Mr Conway: Well, I'm glad there's some levity on the other side because let me tell you, this is one of the most serious issues that any Parliament anywhere could face. If it is Dr Donahue's medical records yesterday and it is Dr Hughes's OHIP billings today, what guarantee do we have that it won't be Jim Flaherty's tax returns tomorrow?

That's what the public is concerned about. People ask me, "Oh, well, just be trusting." I'm going to digress for a moment. I was reading the New York Times the other day and there's a very interesting revelation. The member for Durham Centre might be interested in this. There are two White House counsel who have left the Clinton administration — you may have seen the story — and they have left because they are concerned that their seniors, their superiors through the fall of 1996 have been telling something other than the whole truth about what went on between Bill Clinton and the Indonesian money.

These are two lawyers inside the White House who have basically said, according to the New York Times, that their superiors were telling something substantially less than the whole truth about what went on. The official line from the Clinton-Gore campaign was that they met a couple of times and only for social, "Hi, how are you?" These White House lawyers have now publicly stated, as that New York Times article or editorial made plain, these people who clearly are in a position to know have said there was more to it than that on at least one occasion.

The President of the United States met these Indonesian bankers to talk about American trade policy in southeast Asia. If that's true, I gather that's a criminal offence. But for the moment we know that two lawyers working in the White House have left because they are concerned that their superiors did not on a continuous basis tell the whole truth.

Governments, for whatever reason, and executives who are on the battlefield every day facing a whole range of pressures and challenges, have their own requirements, and one of the jobs that we have as a Legislature is to hold the executive to account for what they've done. So I say I can't imagine a more serious issue than the use by any government of confidential information against an individual in a public debate.

What do I know? I have the Saturday Globe and Mail, and the Saturday Globe and Mail tells me basically the following: That last — I think it was Wednesday — a specialist coalition that is battling the Ontario government about health policy and health funding sends out a notice that they're going to have a press conference later in the week to deal with this.

After that notice went out and before the press conference was held, a senior political aide, Brett James, well experienced and well regarded, phones Jane Coutts, the health reporter at the Globe and Mail. She's not in, she

can't take the call, but he leaves a message. Jane Coutts goes to the press conference of the specialist coalition, a prominent member of which is a Dr Hughes from Peterborough, a person I do not know.

After the press conference, there is another call from Brett James to Jane Coutts — I believe it's Jane Coutts, certainly a reporter at the Globe and Mail. My information is it is one and the same person, but that's —

Mr Froese: Is it true he called? You don't know that.

Mr Conway: You see, I shouldn't admit this, but let me be candid. Dr Hughes's lawyer is an old friend of mine. His name is Paul French. Jim, you'll know Paul French. I knew Paul French through his uncle. His uncle was the late Arthur Edward Martin Maloney, QC. I'm going to tell you, it is a lucky thing for Jim Wilson and Brett James that Arthur Maloney isn't around to take this kind of a case, because Maloney would go ballistic at something as invidious as this, as insidious as this.

1820

What have we got? Again, unless the Globe report and the Globe editors took leave of their senses, we've got from the story on the Saturday front page direct quotes telling us that the minister's senior political aide called the Globe and Mail reporter for the express purpose of informing her before the press conference that this Dr Hughes from Peterborough is, to quote Mr James, "the number one OHIP biller in Ontario, and you, reporter, might just like to ask that doctor that question when he starts to make himself available for questions at this press conference."

The article couldn't be plainer. When I've talked to Paul French, as I have about the article and the story, he has not indicated to me that it is substantially or in any way inaccurate. I'm sure lawyers opposite will say, "and you don't expect that he will." My point is, we know two things as far as I'm concerned.

Interjection.

Mr Conway: That Mr French has an active practice, some of which deals with the Catholic community, I say to Mr Flaherty, should be no surprise, given his Maloney connections or his French connections.

But I say very seriously, we know two things, and a reasonable person I think can make some conclusions. If it had not been for 1991-92, then I think there would have to be some greater latitude. To use an analogy, you can have no sympathy for politicians, whether they're in cabinet but especially if they're in cabinet or as private members, for the old habit of phoning judges or calling the cops. It used to be done pretty commonly, apparently. When I came here, it was surprising how many members, not all of one stripe, I might add, said: "Well, you know, Harry's a good fellow. He got into a little bit of trouble with the cops. There were extenuating circumstances. I know the superintendent. I may make just a little call."

Then we had, of course, evidence that lawyer-politician ministers, André Ouellet in 1976, Jean Charest, George Kerr — a wonderful fellow, a lawyer, a former member from Halton, a former Solicitor General — we had a federal and a provincial example in the mid-1970s of lawyer-politician ministers phoning judges, and it was pretty clearly indicated after that, that was verboten and there was a clear precedent around which later-day

politicians and ministers had to organize themselves and adjust their behaviour.

We had had the precedent in 1991, and it was very clear what was in place. Bob MacMillan talked to the committee in 1992 about the new protocol, particularly around confidential and sensitive information. I ask the House, is there anybody here who believes that a ministerial assistant or a minister of the crown would need to know or would have, in the post-Martel world, information that specifically indicated that Dr X was the number one biller in OHIP? I've got to tell the member for Durham East, not so. That, and the president of the Ontario Medical Association was outside these doors today and he made it plain that is information the doctors rightly believe to be confidential and in the possession of OHIP only, and presumably under certain conditions to certain review committees, I suppose, if they request it for some specialized purpose.

Is there anybody who believes that a ministerial assistant would have that information, which is not commonly available and is illegal in the possession of most of us? We're not talking about day one of the political universe; we are talking about just a few years after people like Jim Wilson and Brett James knew keenly and personally and precisely what had happened in the Martel-Donahue affair.

But there's more to the story because not only did Brett James have information that he ought not to have had, that according to the protocols OHIP made very clear to us some years ago could only be accessed at the highest levels if the minister or the deputy had requested specifically —

Mr Bradley: They're the only people who can get it.

Mr Conway: They're the only people who could get it. So we know, and I believe, that Brett James only had what Jim Wilson at some point had requested. I am simply taking the mountain of evidence and the sworn testimony and the solemn promises to this assembly of just a few years ago, given by very honourable, able people, and matching it to the current situation.

This is astonishing. The government says, "I don't know what he had." All I know is this: that last week, before a press conference that clearly was going to rattle the chain of the Ministry of Health and the minister, the senior political aide phoned a health reporter at the national newspaper and said, "Have I got some information that you might find useful in tomorrow's press conference?"

Mr Froese: Were you there?

Mr Bradley: Intimidation.

Mr Conway: Well, I'm quite happy to call Jane Coutts to the bar of this House and to call Brett James with her and say, "Did you make it up?" I mean, this is no trifle. This is a second major offence where confidential information was taken out of OHIP, brought into a minister's office, and that's only the half of it. The worst half of it as far as I'm concerned is then what was intended as an end use, and it is absolutely clear that one of the end uses to which Mr James intended this information was to smear Dr Hughes.

Mr Bradley: They're enemies.

Interjections.

Mr Conway: Absolutely. You know, the member from Brock is quite able to get up and engage in this debate and tell me that my assumptions are completely erroneous and whimsical. You've got the president of the OMA, you've got Dr Hughes, you've got a number of people saying, "We believe and we were told that who bills what and how much to OHIP is not public information. It is confidential."

Mr Froese: You're making assumptions.

Mr Conway: Again, I have too much respect for the member from Brock. Let us look at what happened here. I tell you that Brett James and Jim Wilson are no longer with us because they clearly understand now what they ought to have understood before that call was made late last week. Much has been said. Yes, I personally applaud the fact that the minister, caught in this attack, has surrendered the seals of office, but I want to tell the House that I don't believe that to be the end of the matter.

I'm not out for his scalp, but I was promised a few things a few years ago about this kind of transgression and how it would not and could not happen again, to the expressed and extreme disadvantage of a citizen of this province who gives us, under certain conditions, highly confidential information about himself and, in this case, his business and professional practice. He gives that to Her Majesty's Ontario government on the understanding that it will be safeguarded and will not be used against him in a prejudicial manner, and that solemn trust we have made as governments and legislators has been broken, in this case to Dr Hughes, as it appears to have been broken in a previous case involving Dr Donahue.

1830

This is not a trifle because the use — it's not just the use, it's the instinct that suggests: "We're under attack. We've got people out there who don't like what we're doing, so let's find out if there's something we can get in files we have, or have access to, and use that information in a way that will shut these detractors of our government up."

That is my concern here for the second time in five years. I simply cannot and will not believe the rather lame defences that are being offered, though I've got to ask you, what is the first minister to do? Is he to admit what I believe has happened?

Mr Froese: What's that got to do with the motion?

Mr Conway: It has a lot to do with the motion, because if, as I believe, we have lost a minister of the crown because that minister and his agents were engaged in a premeditated smear campaign, against an Ontario citizen, with confidential medical information that they ought not to have either had or used in that fashion, then I can't imagine a more serious business for this or any other assembly.

Interjection.

Mr Wildman: And you don't want the evidence, if there is any.

Mr Jim Flaherty (Durham Centre): You're not fair. There is no evidence of that.

Mr Bradley: The message is clear: Don't disagree with these people or they will find something on you.

Mr Conway: You know, the member for Durham Centre says I'm not fair. What about Dr Hughes? He

can't come here, and thousands of other people like Dr Hughes.

The motion is a substantive motion that deals with the government agenda. I don't expect the intake of 1995 to have my concern, because in fairness to the two members from the peninsula who are across the way, the members for St Catharines-Brock and Niagara Falls, they didn't sit, like some of us, for hours and weeks and months in that hearing.

I was there and I saw the thing from beginning to end and I received promises. I was very impressed by the concern indicated by the then minister, the then deputy and the then general manager of OHIP. Imagine that just a few years later we have almost exactly the same scenario: somebody, in this case another doctor, deciding to challenge the now government headed by Mike Harris, and I ask the House to think about it again. What do you think a group of people sitting around a coffee shop in Whitby or Peterborough or Etobicoke or Pembroke would think of what seems to be admitted on all sides?

Last Wednesday a press notice from this specialists' coalition for a press conference I think Friday morning — after the notice went out but before the press conference was held, a senior assistant to the Minister of Health phoned the national newspaper, the Globe and Mail, and left a message. The message was not returned before the press conference. The press conference was held. After the press conference another call or another contact from Mr Brett James, and we have — let me just read some of the story. This is from the Globe and Mail, December 7, 1996: "Minister's Aide Out of Job after using OHIP Billing Data; Brett James Identified MD as Province's Highest Paid, by Jane Coutts, health policy reporter.

"Toronto — A key aide to Health Minister Jim Wilson left his job yesterday after he revealed confidential information about a leader of Ontario's doctors to the Globe and Mail. Mr Wilson's executive assistant said Brett James is 'no longer in the employ of the minister' after telling a Globe reporter to ask William Hughes, vice-chairman of the Specialist Coalition of Ontario, about his billings to the OHIP plan."

Now again, we will have a hearing and I am not satisfied that the privacy commissioner is the person, but this is one of our finest media and we have a front-page story which reports that — let me just read that again: Brett James, according to this Globe and Mail account on Saturday morning, called a Globe reporter, suggesting that the Globe reporter ask Dr William Hughes about his billings to OHIP. "He said," meaning Brett James said, "Dr Hughes, a cardiologist in Peterborough, was Ontario's 'number one' biller, charging more to OHIP than any other doctor in the province."

It couldn't be clearer. This ministerial assistant knew, or believed he knew, that Dr William Hughes was the number one biller to OHIP in the province. As people like Ms Lankin and Ms Caplan have said, as former ministers of health, that is not information that is routinely in the possession of either the Minister of Health and/or any of his or her assistants. After the Martel affair and the protocols that are in place, the only way that kind of information comes into the possession of the minister

is after a very specific ministerial request for that information.

I do not think it is any kind of quantum leap or any kind of partisan unfairness to restate that Brett James could only have had that information if Jim Wilson, his minister and his boss, had specifically requested it.

Mr Bradley: That's the only way you can get it. You can't get it any other way.

Mr Conway: You can't get it any other way. Then, of course, the article goes on:

"The departure of Mr James reflects the delicate state of relations between the health ministry and the province's doctors. News of Mr James's revelation about Dr Hughes might have disrupted negotiations over doctors' pay when many expect a deal to be reached this weekend."

Quoting Catherine Steele, Catherine Steele being Jim Wilson's then-executive assistant, the article says: "We wouldn't want his," meaning Brett James, "conduct or behaviour to be seen as reflective of our view of physicians in any way, because it's not."

Then the article goes on: "Mr James revealed the information in a phone call after a news conference which was organized by the specialist coalition and led by Dr Hughes on Thursday." The press conference was on Thursday.

Mr James revealed the information, namely that Dr Hughes was, in the view and knowledge of the minister's assistant, Mr James, the number one OHIP biller, after the specialist coalition had held a press conference, at which press conference Dr Hughes was front and centre in leading the charge against the Harris government.

Reading the article: "At the conference, the coalition called for a province-wide shutdown of specialists' offices this coming Friday. Asked yesterday how he knew Dr Hughes was the top biller in Ontario, Mr Brett James said, 'I guess I saw a piece of paper.' He added," did Mr James, "'My whole problem, quite frankly, is I love that little piece of information, but there's only one place it could come from.' Asked if he meant from OHIP's files, he said," that is, Brett James said, "yes."

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Well, there you have it. To me, after the Martel affair, it couldn't be clearer: He shouldn't have had it, he shouldn't have asked for it, and most repugnant, what did he plan to do with the information? He had a very specific plan, as the Globe and Mail article makes plain. He was busy phoning the Globe, wanting to tell reporters who were going to that press conference, "Here's some information about Dr Hughes and you should ask him about it as he bellyaches about government funding of medical, health and hospital programs."

I've gone this long without getting into it, but this is right out of the Richard Nixon White House. This is about an enemies list, this is about getting even, this is about using confidential government information for the express purpose of attacking, undermining, threatening and smearing citizens who happen to take public issue with government policy. Because it has happened now for the second time in five years, involving the most confidential of OHIP, medical and physicians' information, this House ought to be in an uproar about it. That the

minister has gone and that Mr James has gone for me is just the beginning, not the end of this story.

I have a lot of respect for Tom Wright, the information commissioner. He's a good fellow. He's served the assembly well. But I'm telling you he is not the person, given, as my colleague from Kingston and as the member and leader of the New Democratic Party and as the leader of the Liberal party enumerated at some length in today's question time, he is not, by dint of his mandate, competent to get to the bottom of this, and to the bottom of this we must get if we expect doctors and citizens generally to feel comfortable, that this kind of sensitive and confidential information can continue to be given to her Majesty's Ontario government in the knowledge that it is not going to be used in such an adversarial and in such a prejudicial way against individuals in the course of sometimes active public debate.

For any of you who have served on a local roads board or a local council or on any kind of body where you have access to information about people who might appear before you, you must understand, I'm sure you do, the kind of temptation to want to throw this back in the face of some adversary. Human beings are only human; human nature is only human nature; temptation is irresistible.

When I read The New York Times laceration editorially at the Clinton White House, I felt that the Times was absolutely right to be attacking their man. They supported Clinton in the election, but they recognized —

Mr Flaherty: You didn't support Bob Dole. I know you didn't.

Mr Conway: No, I say to my lawyer friend from Whitby, don't distract me. He more than anybody ought to be concerned about this.

Mr Flaherty: Maybe he supported Ross Perot.

Mr Conway: Well, you know, I was reading something the other day about the Pentagon papers, and we wonder why our trade is diminished. We wonder why political currency is not what it once was. This place is organized on the quaint, mid-19th century Victorian notion that we're all honourable men and women. I tell you, honourable men and women, hopefully not just in the Victorian era or the Edwardian era but also in the last 20th century, I hope we are honourable to a point that we understand that what happened here is repugnant in the extreme, and that because it is not for the first time in this decade, that it has happened again, we should be doubly outraged.

Speaking for myself, I now have to believe that what I was told five years ago by ministers, deputies and senior people at OHIP was not worth as much as the face value of the currency on which it was offered. I'm rather disappointed by that. Twice in five years I am forced, as a member of the Legislature — talk about going home? I expect to go home this weekend and meet some of my good friends, who are very active Conservatives, who are distinguished members of the medical profession, and I expect them to be in a white rage over this. They were in a rage over what happened to Donahue, and I, for one, said: "You're right to be upset. This, I don't believe, will happen again," not just because there are new protocols but that all of us, and certainly all of us who were here in 1991-92, and that certainly includes Jim Wilson — it

probably includes Brett James. If he wasn't here in 1991-92, he was certainly here a few short months or a year later. But we now have a seasoned veteran of the Conservative caucus, a hardworking guy who knows what he's about, out the door because we have had a second incident where an Ontario doctor was attacked by political assistance, and I believe that James could only have had what Jim Wilson had or had asked for.

You get into this business about a doctrine of deniability. Ronald Reagan actually pulled it off in Iran Contra: "You know, there was an activity in the basement of the White House. I knew that Ollie North was around and he was down there." There were some things going on, apparently, and Congress and a couple of special prosecutors spent many a year. That Canadian-born Lawrence Walsh enraged a lot of Republicans with his, in the end, unsuccessful effort to link the basement activity to the Oval Office responsibility. But I've got to tell you, if you look at American public opinion, there aren't too many people who didn't believe that the people who bear the responsibility in the executive office did not know or ought to have known what was going on underneath their very feet and on their watch.

You see, our doctrine of ministerial responsibility is one where there is perhaps an old-fashioned notion that if you've got assistants running around, doing the kinds of things that Brett James was doing, then that's your responsibility.

Mr John R. Baird (Nepean): He resigned?

Mr Conway: Of course he resigned, because in my view a smear campaign against an innocent Ontario citizen was uncovered. You bet you he resigned. He did it lickety-split. But that doesn't answer all the questions. How is it possible that this could have been going on in the first place? Who else was involved? I want to know. I tell you, one thing I remember from that Martel inquiry is that OHIP keeps very specific logs and records about who asked for what, on what account, on what day, to whom did OHIP send the information. I want those logs. I want a detailed accounting of who asked for what, who got what, and I expect that Mr Wright is going to have that and at some point that's going to be shared with this House. I tell you I learned a couple of other ancillary things from the Martel inquiry and I was astonished at what kind of paper trail modern technology can now produce. Those facts, records alone, are the stuff that would bring Perry Mason back from the grave.

Just because Wilson is gone, just because Brett James is gone, that does not absolve this Legislature from giving an accounting to the Ontario public and most especially to those innocent citizens who have yet again seen hard evidence that if you want to fight this city hall, you better gird your loins and get the best hockey equipment that money can buy, because this government is quite prepared to fight back with all instruments at its disposal, including the most sensitive medical information, that the Marquis of Queensberry rules do not apply.

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Again, the chronology here is in some ways even more damning than it was in the Martel case. A notice went

out last week. "We, the specialist coalition, are going to have a press conference." After the notice went out, before the press conference was held, a call was made from Brett James to the Globe and Mail, a message left, no conversation. The press conference is held, another contact from Brett James to the Globe and Mail, I presume Jane Coutts but certainly a Globe reporter, and what does the Globe report?

Ah, the minister's aide has some information that he just thought a good reporter might want to know about some kind of carping doctor at a press conference where the issue was the current operating mandate and attitude of the Minister of Health. That information was, this guy, Dr Hughes from Peterborough, I can tell you, is the leading, number one biller to OHIP, and when asked by that Globe reporter, "Where did you get that information?" he confessed that it came from OHIP, as it only could have come from OHIP.

Mr Bradley: And there's only one way to get it from OHIP.

Mr Conway: And there's only one way to get it from OHIP in the post-Martel world, and that is to have the minister specifically requisition it. I suspect there is more, that they not only had the billing numbers for Dr Hughes, but given this mentality and this admitted evidence from Brett James, I suspect that what the government was amassing was: "What other doctors are out there giving us a hard time? What other doctors are we negotiating about? Pull up their numbers and let's just see what we've got."

Not only do I believe there is reason to believe that the minister's office, Jim Wilson's office, called up the billing numbers, the billing volumes, the billing totals of Dr Hughes, but I believe there is reason to believe that they had in their possession for purposes of attacking people who were attacking them in the public domain or people who they were negotiating with — I have every reason to believe there is reason to believe that they had billings of more doctors than just Dr Hughes.

These are serious issues that go to the core of what we're about. I know the national newspaper quotes Junius every day, telling us that we ought not to submit to arbitrary measures from the chief magistrate. What could be more arbitrary? What could be more damning and more unsettling than a chief magistrate who calls up this kind of confidential information? It's for these reasons that I believe that the inquiry, so-called, headed by the privacy commissioner, is inadequate, that it must be replaced by either a legislative inquiry or an inquiry under the health insurance legislation.

Because I believe so seriously in the gravity of the transgression here, for the second time we've seen a smear campaign using confidential OHIP information against an innocent Ontario citizen, I move that Mr Johnson's motion be amended by deleting all the words after "1997" in the fourth line of the motion and replacing them with the words "which date resumes the fall sessional period of 1996."

Report continues in volume B.

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Mardi 10 décembre 1996



Speaker
Honourable Chris Stockwell

Président
L'honorable Chris Stockwell

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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 10 December 1996

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 10 décembre 1996

Report continued from volume A.

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HOUSE SITTINGS

Continuation of debate on the motion that, notwithstanding standing order 6(a), the House shall continue to meet commencing Monday, December 16, 1996, until Thursday, December 19, 1996, and that when the House adjourns on Thursday, December 19, 1996, it stand adjourned until Monday, January 13, 1997, which date commences the spring sessional period.

The Speaker (Hon Chris Stockwell): Mr Conway has moved that the motion be amended by deleting all of the words after "1997" in the fourth line of the motion and replacing them with the words "which date resumes the fall sessional period of 1996."

Further debate?

Mr Bud Wildman (Algoma): I rise to deal with the motion and the amendment put by my friend from Renfrew North, and I would say at the outset that we don't necessarily disagree with his amendment — frankly, we agree that spring does not begin in January — but we don't believe that there need to be any words after the date "1997" in the motion, and I will be explaining that as we go through.

I have a number of things I want to put on the table as we deal with the amendment put by the government House leader. Essentially what we have in this motion is a government House leader who is acting in a way that is similar to many other government House leaders in the past in that we have a government that has left to the very end some of its most difficult and controversial legislation and now is looking for a way of trying to get it through. In that sense, the member for Don Mills is acting in a similar way to many other government House leaders in the past.

But what is different in this particular case is that we have rules that clearly prevent the government from introducing at first reading, and then proceeding to second and third readings, new legislation in the last eight days. I don't think the government House leader dealt very well with that issue in his presentation, either in his intervention during the discussion around the points of order or in his leadoff in the debate on the motion.

The government House leader said that we really have a lot of work to do — essentially that's what he said — and that we've got to get things through. I know that's a problem for government House leaders. That has been a problem for every government House leader I've seen in this place, except perhaps I suppose the government House leader who was in the last part of the previous two governments, in the last sessions, because, particularly

under the Peterson government in the last part, just before they called the election, they didn't really have a lot to do.

But in the early parts of mandates, governments generally have a lot to do. Governments generally have a lot to do in the first part of a mandate; sometimes they have too much to do. Inevitably we find that we get close to the end of the session and they haven't covered very much or at least they don't think they've covered enough, so they try to find ways to get things done.

Mr Jim Flaherty (Durham Centre): Seven days on the third reading of Bill 75. Seven days.

Mr Wildman: The member across the way says, "Seven days on the third reading of Bill 75." It may come as a big surprise to the member, but the government House leader didn't have to call Bill 75 on any of those days. He could have dealt with other things, but he chose to call Bill 75 because he wanted the House to debate Bill 75, so the House debated Bill 75. If the government House leader had other priorities that could have been dealt with, he could have called other things, but he chose not to because he wanted the government to debate Bill 75. He made a basic mistake. He didn't think the opposition could carry the debate that long. Well, he was wrong.

Mr Flaherty: You could talk a long time.

Mr Wildman: That's what this is about. This is a Parliament — "parler."

As I said in my intervention on whether this motion was admissible and whether it was in order, our caucus, as I think is true of all the members of the House, is not opposed to meeting next week, nor are we opposed to meeting in January.

We recognize that the government has a long list of bills on the order paper that haven't been debated or haven't been completed, and if the government feels that these are of such importance that they must be gotten through and we can't get them through this week, then perhaps we should extend the session. We don't have any problem with that. But I say clearly that our caucus will not support a motion that gives this government a blank cheque to make any changes it wants to municipal services and educational governance without proper consultation and notice. That's what's wrong with this motion.

The government House leader gave us this long wish list — it's sort of a Christmas list — of what he would like to get through this session. We got this list a couple of weeks ago, finally. We'd been trying to get the list from the government House leader for a long time. For three months, we'd been asking the government House leader: "You've got all this long list of bills. What do you really need before Christmas?" The government House leader wasn't able to give us that.

Mr Flaherty: All of the above.

Mr Wildman: The member says, "All of the above." In fact, that's basically what he said, "Yes, we want it all." It was unbelievable. He had enough on that list to take two sessions, not one, and he somehow wanted to get it through. I think he finally realized that he couldn't get it through and so we started talking about an extension of the session. All right. Fine. If you want to extend the session, we'll consider that.

Finally, we've got a list now where the government House leader has told us, "Of all of the bills and pieces of legislation that are on the order paper, these are what we need by Christmas," keeping in mind that this is now December 10th. This is the list: They want third reading on Bill 61, third reading on Bill 63, Bill 65, Bill 66, Bill 67, Bill 68 and Bill 69. That's not the full list; that's just the first item: eight bills for third reading. These are what are referred to as the red tape bills. For whatever reason, the government House leader hasn't even called these bills for third reading. If he really wants them, why hasn't he called them? What have we been doing for all these weeks? If he really wanted these bills, he could have called them, debated them, but he didn't.

We indicated that on at least one of those bills we had a major problem. There were amendments, and at one time it looked like the government was going to be having to move an amendment on one of those bills, so that meant we have to have committee and we had to deal with it.

At one time, the government said, "We'd like to bundle these bills"; that is, put them altogether and deal with them as one item. As I understand it, to bundle them would require unanimous consent, which is a problem for the government House leader. You'd have to have unanimous consent.

Mr Flaherty: How big a problem is that?

Mr Wildman: It might be a problem. There might be some member in the outer reaches of this place who might say no. That's perhaps why the government House leader did not call the so-called red tape bills, because if he wanted, as the member indicated a moment ago, all of the above, he had nothing to trade, and that's unfortunately — or fortunately — the way things work around here. If you want to get unanimous consent for something, you've got to give the members of the opposition parties something, to say: "Okay, fine. In order to get unanimous consent, we'll agree to do something on another matter." If you have to get all of the above, it's impossible to have that kind of negotiation and discussion.

Mr John R. Baird (Nepean): We had unanimous agreement on the red tape bill, five minutes' debate each.

Mr Wildman: You do? When?

Mr Baird: We did for second reading.

The Deputy Speaker (Mr Gilles E. Morin): Order. The member for Nepean, please.

Mr Wildman: We don't have unanimous consent to bundle these bills.

Mr Baird: This was before, earlier.

Mr Wildman: We never had unanimous consent to bundle the bills. We indicated that we didn't think there was going to have to be long debate on all of these bills but that we had an amendment to one of the bills. We

never agreed to bundle them. We agreed that we didn't need to have long debate but we could debate each separate bill.

Mr Baird: For five minutes.

Mr Wildman: The government wanted to bundle them, though, put them all together.

Mr Baird: Had unanimous consent not to.

Mr Wildman: No, we never had unanimous consent to. The member keeps saying we had unanimous consent to bundle the bills. We never did.

What else is on this list? All of these so-called red tape bills were item number one. The second item is Bill 52, the aggregates bill, where we said there would have to be committee of the whole debate, and we had a very expeditious and short debate in committee of the whole on December 5. There was an amendment we wanted to put forward and we dealt with it, but the government House leader hasn't called it again for third reading.

Bill 57, the environmental approvals bill; supposedly, according to the government House leader, a non-controversial bill. It was called for second reading on September 25 and there was debate for three days starting September 25. Since September 30, this bill has not been called. It hasn't been debated because the government House leader hasn't called it. We did proceed with Bill 81, which the government said it had to get through, and finally we got an agreement that made it possible that we would have hearings, so we held hearings across the province, as well as in Toronto. The bill finally passed third reading on December 4. The government did get one of the bills it said it had to have before Christmas.

Then we have Bill 82, about which there's been tremendous controversy, not because of particularly what is in that bill, although there are problems in the bill, but because of the utter, complete mess that the Attorney General has made of the family support plan, because of his determination, as part of the government's agenda to get the money out, to close the regional offices and lay off 290 staff, set up one centralized operation with a 1-800 number and move all the files to that operation. Now we find that a program that has had problems over the years is even worse, much worse than it ever was, because there was no proper transition provided for by the Attorney General because he was in such a rush to get the money out.

We have a situation where ex-spouses, in many cases fathers, who are responsible and under court order to pay are paying and have been paying so that their children can be supported, but what's happening now is that the money is being deducted from their cheques but it's never getting to their kids and their ex-spouses.

In response to the questions that have been raised repeatedly by my colleagues in this House, the Attorney General just repeats a mantra saying, "We've had lots of problems. We're fixing it and everything's fine," instead of admitting that he's goofed, that he's messed it up and that a lot of people are suffering because of that. Kids are suffering, kids are going to have bleak Christmases because of his blundering, and he won't admit it. In my experience, you have to admit mistakes before you can start to rectify them.

What kind of response do we get from the Attorney General? My colleagues the members for Welland-Thorold and Sudbury East went to the Downsview office, the infamous office that this minister set up. They went with a video camera just to see what was exactly happening there, since the minister kept saying: "Everything's fine. We're catching up. We're getting things set up. People are being trained. Things are on the move." What was his response? As soon as he found out that two members of this House, carrying out their responsibilities as representatives of the people of Ontario, wanting to find out what was happening with the family support plan and why there were so many problems there, as soon as he found out that they had gone to that office and had entered the office, accompanied by a security guard, with a video camera and discovered all these boxes of files that had not been uncrated, that had just been sitting there ever since the regional offices had been closed, what did he do?

1910

Mr Floyd Laughren (Nickel Belt): I don't know. What did he do?

Mr Wildman: Well, I think he called the cops and said that a criminal investigation should be initiated. Then many of us in this House heard an interjection by the Attorney General, the chief law officer of the crown for this province, in which he alleged that a break-in had occurred, and that is very, very serious.

I think he erred in calling a police investigation in the first place. I think he acted in a fit of pique because he'd been caught. But he compounded that error by suggesting that a criminal act had taken place even before the police had had a chance to investigate and find out if indeed any criminal activity had occurred. Here we have the Attorney General prejudging a police investigation, the Attorney General initiating a police investigation into a matter that relates to government activity for which he is responsible, and then alleging before that investigation can start and get under way that a criminal activity had taken place.

I don't think it was a surprise — it shouldn't have been a surprise — to the government House leader that when he suggested we call Bill 82 on changes to the family support plan, we said to him, "We want to have a more adequate response from the Attorney General on the problems in the plan, and also a clear investigation of what the Attorney General said, what he meant, and what the ramifications are for his position as the chief law officer of the crown because of the statements he made in this House or appears to have made in this House as interjections."

It seems the government House leader was somewhat taken aback by that: "Why would you want to discuss those issues rather than the issues just in the bill itself?" as if somehow they weren't related to one another. As a House leader for an opposition party, I would have been derelict in my duty if I hadn't notified the government House leader that this would not be a short and quick debate on Bill 82. I did, and when the matter came before the House, in fact there was extensive debate. It was called on November 20 and it went on for six days, ending on November 28.

At the time the bill was brought before the House, the government House leader and other members in the Conservative caucus accused the opposition of trying to hold this bill up. They were saying that the measures in the bill that would make it easier, as the minister claims, to enforce support payments were being held up because of the opposition.

Well, the fact is that it was over 40 days from the time the bill was introduced for first reading till it was finally called by the government House leader for second reading. If the government House leader had wanted to get that piece of legislation through, he could have called it much earlier, but he chose not to. Apparently, he chose not to because we were indicating that it was going to take a significant debate and he wanted us somehow to expedite that debate, despite the fact that there are provisions in Bill 82 which are most objectionable.

One of those provisions is that if you have a long-standing case of non-enforcement, where support payments have not been made for a long time and there are significant arrears, it can just be decided that these arrears are not collectible and the case is closed, as if the court order was somehow no longer applicable.

I suppose the government House leader thought that by leaving Bill 82 till later in the session, he could somehow persuade or force the opposition to expedite the debate despite the transgressions of the minister responsible, despite his mistakes and the unholy mess he's made of the whole program. Well, that's not the way it works.

And now we come to Bill 86, which is a bill that deals with many municipal reforms. That bill wasn't called for second reading till December 2. The government House leader and the Minister of Municipal Affairs and Housing have both said that this bill had to get through before the end of the calendar year — in other words, it had to be passed by Christmas — because it dealt with provisions related to the municipal elections in the fall; that since, under the legislation, candidates can register as of January 1, these provisions should be in place and be in law by January 1 so that everybody would understand the new rules and would know how the game was going to be played.

I may be naïve, but if a piece of legislation is required by January 1, as the government House leader and the minister have claimed, why wasn't it called until December 2 for second reading? Forgive me for being a little sceptical of the government's claims about their priority and the necessity of getting things through. If something has to be passed before the end of the December, before Christmas and, according to the calendar of the House, before December 12 for third reading, why is second reading called only on December 2?

Then we have the Minister of Transportation over there, who has a piece of legislation, Bill 92, on road safety. I know the Minister of Transportation is very concerned and wants to get this bill through. We've been told by the government House leader a lot of times that this bill must be debated for third reading before the end of the session. I know you'll find this hard to believe, but this bill, Bill 92, hasn't even been called yet.

I don't know why the government House leader hasn't listened to his colleague the Minister of Transportation.

On the other hand, I guess the Minister of Transportation has been unsuccessful in persuading the government House leader to call this piece of legislation for debate on second reading. If we really need it before the end of the December, and the calendar says the cutoff is December 12, and we want it not only for second reading but third reading, passed into law by December 12, why is it that on December 10 it still hasn't been called?

1920

Then we have Bill 95, another one. I'm reading, as you know, Mr Speaker, from the government House leader's wish list, the government's wish list; what it wants before Christmas. Bill 95 was the so-called Boxing Day shopping bill. We were told that this has to be passed not only at second reading but third reading by the end of the session so that it will be in place prior to Boxing Day, December 26. Well, the bill wasn't called until December 5, and it was even suggested by the government House leader that maybe we could do second and third reading in the same day. From our standpoint, we didn't even need this legislation: The court has already struck down the legislation that prohibited shopping on December 26, so there was no need to have the legislation. But if the government really wanted to have it and wanted it passed for third reading prior to December 12, why wasn't it called before December 5 for second reading?

As I said, this government House leader finds himself in the bind that many government House leaders find themselves in: They have a long list which is too long, which they must have, and it doesn't get passed as quickly as they would like and the rules are seen as somehow an impediment to getting the government's agenda through. So the government House leader then says: "We've got to do something. We've got to bring in a motion to change the rules, to extend the House sitting."

As I've said, if the government wishes to extend the House sitting to deal with these third readings, fine. We're happy to come back next week; we like to have question periods. We're quite happy to come back in January to have more question periods, to continue the fall session and to pass these matters on the government's wish list, on the order paper, that haven't been passed yet.

But I haven't finished the whole list. I just read the 14 or 15 bills that the government wanted for third reading. There are some other bills they've said had to be completed second reading before December 12.

Bill 84, the fire services bill, was called for second reading on December 9. Keeping in mind that the government knows the calendar runs until December 12, it was called for second reading on December 9, two days before the end. Did the government really expect it was going to be passed second reading by December 12?

Bill 96, which deals with rent control, which the government euphemistically calls the Tenant Protection Act when everybody knows it's anything but tenant protection — the government House leader says the government needs second reading on Bill 96 prior to the end of the fall session. Bill 96 hasn't even been called yet for second reading. It's December 10.

There's Bill 99, which deals with the Workers' Compensation Board. This bill, besides just changing the name, in fact takes away protections from workers, takes

away benefits, robs injured workers, some of the most vulnerable people in our society, of the benefits that help them to put bread on the table and clothes on their own backs and the backs of their families and a roof over their heads. This is a very controversial piece of legislation, one we are diametrically opposed to, just as we are opposed to the changes in Bill 96, which will essentially end rent control in this province.

I understand that the government wants to do these things and we're opposed to them. We have a difference of opinion, a significant difference of opinion. But Bill 99, the workers' compensation bill, hasn't been called yet for second reading, and yet it's on the government House leader's wish list for what has to be done by December 12. This is December 10; it hasn't been called yet. One of the members across the way said, "There's a reason that these pieces of legislation haven't been dealt with, and that's because the opposition debated Bill 75." We did debate Bill 75 because, again, we had a major difference of opinion. Bill 75 was the VLTs bill, the video lottery terminals bill. We debated it at length, and we told the government we were going to debate it at length, because we were opposed to it and we felt that the arguments against that legislation should be put on the floor of this House and should be debated.

I remind the members of the government caucus that the opposition House leaders, the opposition parties, do not determine what will be called; the government House leader determines what will be called. It was his call. He called Bill 75 all of those days and we debated it. Why didn't he call Bill 99 or Bill 96 or Bill 84? I submit to you that the reason he didn't call these pieces of legislation was because he was trying to stack them, he was trying to stockpile them till the end of the session, hoping that the opposition, as well as the government backbenchers, would get tired, that we would be at the end of the session and everybody would be looking forward to getting home for Christmas. And then we would suddenly find a rush in the Christmas spirit to pass these pieces of legislation even though we have major problems with these pieces of legislation.

As I said, this government House leader is acting like many government House leaders I have seen over the years. I've seen this movie before.

Mr Sean G. Conway (Renfrew North): You played in it once.

Mr Wildman: Certainly, and so have you.

Mr Conway: But not nearly as well as you.

Mr Wildman: Conservatives, Liberals, New Democrats, and now Conservatives again — in the years I have been here, every Christmas this seems to happen, almost every one. Not every one; I can remember a couple where we ended early; that was quite amazing. But most times it happens every Christmas. We've got this long list on the order paper that hasn't been completed because we haven't been debating them. They haven't been called, for whatever reason, and then the government House leader comes to the opposition House leaders and says: "Wait a minute now. We've got all of this stuff here, all of these pieces of legislation. We've got to get them through. Can't we make some accommodations here? What are you prepared to debate quickly?"

Mr Conway: Do you remember when I brought you back December 27?

Mr Wildman: Oh, do I remember. That was a situation where we sat between Christmas and New Year's.

Mr Conway: You got paid.

Mr Wildman: Yes, we did. We got paid. Some would suggest that we might have gotten paid even if we hadn't sat, but that's —

Mr Conway: "Free trade or bust," we said. It was a bust.

Mr Wildman: That was quite an experience. Yes, we did. We sat, we debated, we were quite willing to do the government's business. Some of us thought it was a little unreasonable to be sitting between Christmas and New Year's, but we were here and we debated the legislation.

We're not opposed to extending debates. As I've said, I've seen this movie before. We're not opposed to extending sittings. We made it clear some weeks ago, as a matter of fact, to the government House leader that if he wanted to sit to December 19, fine. We also made it clear that if he wanted to come back in the winter, to extend the session to deal with the long list that he said they must have, that the government needed, we'd be happy to. That remains our position. We're pleased to do that.

As I said, in this sense this is a rerun of an old movie. However, there is one difference, a major difference in this particular situation, and that is that the motion before us doesn't just talk about an extension of a session. It doesn't say that we're going to sit until December 19 and then come back on January 13 to continue the debates on these pieces of legislation that the government says it must have that are on the order paper. No, it says that spring is going to come in January.

1930

Mr Conway: A happy thought.

Mr Wildman: It is a happy thought. For those of us who can't afford to go south in the winter, to have an omnipotent government that can change the weather and can suggest that spring will arrive in the middle of January is a happy thought.

Why is it that this motion says that the spring session will begin on January 13? We all know it has to do with a statement made by the Premier in this House last week. Keeping in mind that this is like many other situations that we've seen in the past — the government has a long list that it has stockpiled, a long list of legislation it has stockpiled till the end of the session — the different wrinkle here is that the Premier made a statement last week in which he said, "Not only are we interested in dealing with what's already on the order paper" — in fact, he didn't even mention that — "there are two major pieces of legislation" — perhaps more pieces of legislation, but two major initiatives of the government — "that are coming forward that we must deal with. We must restructure municipal government." The Crombie commission, the who does what to whom for how long for how much panel, was going to be reporting at the end of last week and coming out of that report was going to be legislation and initiatives of the government that must be dealt with, and for that reason he was suggesting that the Legislature be called back in January.

It's interesting, when you analyse the Premier's statement, however, that he seemed to be talking about an extension of this session. He said that the session would have to continue after a short break for the Christmas-New Year holiday. I don't know what happened, but I guess somebody twigged and said: "Wait a minute. If we just extend the session, then we can't introduce new pieces of legislation for second and third reading debate. We can only introduce them for first reading. We won't be able to get them through." So the government House leader's office went to work and said, "How can we circumvent the rule that says that in the last eight session days the government cannot introduce new pieces of legislation and then have them debated at second and third reading?" Because that rule applies to extensions of the session as well. So they came up with this novel proposal to move the spring equinox, to decide that they would simply designate this session in January as the spring session.

Mrs Margaret Marland (Mississauga South): Equinox — I've forgotten what that means.

Mr Conway: The opposite of solstice, Margaret.

Mr Wildman: Isn't it interesting that usually the equinox is some length of time away from the solstice, and we are just about at the solstice now, towards the end of next week.

Mr Conway: Like Bernie Ostry is the solstice and you, Margaret, are the equinox. It's kind of like that.

Mr Wildman: I won't touch that one.

So here we are. For three months, I and the House leader for the official opposition have been asking the government House leader to show us the government's agenda on these two initiatives, because we knew they were coming. We understood that the government was intending to move on municipal governance and education governance in this province, so we've said repeatedly over three months to the government House leader: "Tell us what you're going to do. Give us an indication of what the legislation is going to say and what your timetable is. When do you have to have it passed? What provision is going to be made for public input? What provision is going to be made for hearings across the province on whatever you're bringing forward, and then we can talk about the House agenda" — not the government agenda, but the House agenda as it relates to that government agenda.

The government House leader has consistently stonewalled. He's stonewalled either because he didn't know what the government was going to bring forward and didn't know what kind of provision was going to be made for public input, or he did know and he just didn't want to share it with us. I don't know which is the case. The member for Don Mills is an honourable man. He tells me, "Look, I can't tell you because the legislation hasn't even been prepared yet."

If that's the case, what's the rush? It hasn't even been prepared yet. The Premier said the legislation would be introduced next week, anticipating an extension of the fall session. If it hasn't been prepared yet, hasn't gone through cabinet, it's going to be tough to get it — I guess you could get it for first reading next week, but I suspect it may not be introduced until January, or at least parts of it will not be introduced until January. That, of course, is

what produced the problem for the government. If they're not going to have it until January for first reading, they had to get around the rule, they had to circumvent the rule some way, and that's why spring is starting mid-January.

I'm just wondering what the Minister of Finance had to say about this in discussions in cabinet. I wonder if he contributed advice to the government House leader, I wonder if he suggested that this was the way to do it, because it certainly is not in tune with the comments the member for Parry Sound made in this House in June 1992, when he advocated a tightening of the rules around passing a bill introduced very late in a scheduled sitting and indicated that there should be restrictions on second and third consideration of bills introduced late in the session and that that applied to a session that was extended, to the extended period as well. I guess that was then and this is now.

1940

Mr Laughren: Are you going to call a quorum, Margaret?

Mr Wildman: We have a deal: no quorums.

Mrs Marland: No, I'm just counting out treats to leave you with.

Mr Wildman: Merry Christmas, Margaret.

My view is that the government got themselves into this fix and I guess they have decided to get themselves out through this motion. But let's not pretend it was somebody else's doing; it was the government's own doing. They are the authors of their own misfortune, if that's what it is. But somehow — forgive me for being sceptical — I think this was what was intended all along. I really do think this was intended all along. Despite the fact that the now Minister of Finance said in 1992 that there was a loophole in the rule that needed to be closed and he thought we had finally closed it with the rule changes, the government House leader and his minions found another loophole, and now they're trying to drive the legislation through it. With the majority they have in this House, I guess they will be successful and spring will begin in January.

I'd like to spend some time now talking about what we might anticipate we're going to be discussing in January. Before I do that, though, I want to talk about something else that happened last Thursday, the day the Premier made his statement in the House, or at least that apparently began last Thursday; that is, the shenanigans in the Minister of Health's office.

This is part of the government's agenda, of course. They intended to have a settlement with the doctors in Ontario so they could move further on the restructuring, because this is going to be very controversial. I suspect that's why, as I said, this was intended all along. They wanted to settle the questions with the doctors before they ran into problems with the municipal officials in the province and with the education community because of their restructuring plans. Their plans have gone somewhat awry, and I suspect that may be why people in the minister's office felt frustrated and felt they had to take some sort of action to try and move things along, although I think what they proposed or what they appear to have decided to do had the exact opposite effect.

I won't go through the whole thing again; it's been the subject of debate in the question period and my friend from Renfrew North talked about it in detail in his presentation, but I will make a couple of comments.

It is clear to me and I think to most members of this House that Mr James could not have acted on his own. That is clear. It is completely impossible to conceive of a situation where an executive assistant in the Minister of Health's office, on his own, could obtain the information that Mr James apparently had and then gave to the Globe and Mail. It's been stated clearly in this House that this kind of information can only be requested by the highest authority, that it must come from the OHIP office and go all the way up to the deputy minister and be authorized by the deputy minister before going to the minister, that the request must come from the highest official, that is, the minister or, I suspect, perhaps even higher.

Now we have a situation where the executive assistant resigned and now the minister has "stepped aside," and we have the Premier stand in this House saying that he has asked the Information and Privacy Commissioner to investigate.

It is again inconceivable to me, as a member of this House who has served both in opposition and in government, that a Premier would not investigate a situation and ask directly of his minister: "What did you know? What was your involvement? When did you know it? How did this happen?" But we have the Premier of this government saying: "I decided not to ask those questions. I decided to have an independent commissioner look into this." That's just not believable, frankly. It just isn't believable.

The fact is that if this information came from OHIP and arrived in the minister's office, it must have been requested by someone in authority to do that, and in my view, that must have been the minister. An investigation by the privacy commissioner is not going to find that out. That's why it is our view that there must be a committee of this House mandated to investigate this situation and find out how widespread the problem is, to ask: How do we deal with security of OHIP information, of health care records? How do we ensure that this never happens again? Who besides Dr Hughes may have been involved; that is, whose records may have been requested and provided? These are questions that will not be answered, I believe, by the privacy commissioner, and they must be answered.

There are a couple of other things that should be answered. I want to make clear that this matter will be a matter of controversy in this House until we get a proper inquiry or a committee mandated to investigate it. I understand that the current Minister of Health, the government House leader, has stated to the press that the minister's office has been secured since Monday, which obviously begs the question: What happened between Friday and Monday? What was in the minister's office? Is it still there or has evidence been tampered with, destroyed or removed? I don't believe the privacy commissioner's investigation will answer those questions.

This is a very, very serious situation. A minister who is a competent minister, I believe, a minister who is engaged in a program with which I don't agree but who

is, I think, a hard-working person, has resigned. But the government must understand that the issue does not rest there. Obviously, we must know what the minister knew, if he knew, and when he knew it; what the information was being used for and why it was requested. Was, as some have suggested, a smear campaign being proposed by people within the minister's office against doctors with whom they had disagreements? These questions must be answered, and it's not acceptable for the Premier to stand in this House or to talk to the press and the public and say, "Well, I asked the minister and he said he didn't know anything," and that's it. Frankly, all that does is raise more questions than it answers.

These matters will be the subject of debate in this House, I think ongoing until the government understands that there must be a proper investigation. These matters must be canvassed, and canvassed widely, in a way that we will get the truth and we will understand what is happening and what has happened and ensure that it never happens again.

You can't just send the minister into the penalty box, have him serve his time there, have a very restricted investigation and then bring him back on the ice in some other capacity. That will not resolve the matter.

I'd like to deal with what we apparently are going to be discussing in January if the government has its way and this motion passes and we pretend that the spring session has begun and the government can move beyond first reading of whatever legislation it's bringing in.

1950

The government has said that we must act on the Who Does What panel recommendations for restructuring in this province, major restructuring which is going to be very controversial. This panel has been set up by the government from backroom political operatives. They're contemplating massive changes to local government in Ontario. They haven't held any public hearings, they haven't commissioned studies which are available to the public, they've provided no implementation details and they've produced no reliable numbers that back up their recommendations.

Despite what the Premier said, it appears that the government is ready to ignore some of the recommendations of this handpicked panel and isn't particularly interested in a lot of public consultation about what is going to be the shape of municipal government and education governance in this province. This is a government that seems to be prepared to ignore everybody's advice, and in this case even the advice of its friends.

We in the opposition know that the basis of this restructuring is the need of this government to obtain another \$3 billion in cuts in expenditures by the provincial government. That's what the Premier and the Minister of Finance have indicated. In order to pay for the tax scheme proposed by this government, there have to be even wider and deeper cuts than we've seen already. One of the ways of finding it, it appears, is to restructure municipal government and educational government in this province and determine changes in what they do and what the province does as a way of downloading a lot of expenses to the local governments and cutting provincial expenditures.

I'd like to deal specifically, because it's an area of my particular interest, with educational governance for a moment. The Who Does What panel said that it was recommending taking \$4.5 billion of education costs from the local level and putting them at the provincial tax base. This is not something we would oppose. Governments throughout the years have argued over how we should finance education in Ontario, and it's been suggested — it's certainly been our position as a party — that we should be moving away from the local property tax as a way of financing education in Ontario.

If the government is going to move on this proposal, this means that out of the total of \$13 billion spent on education in Ontario, \$4.5 billion, which is currently raised from the local property tax, will have to be provided by the provincial government from its revenues. It appears that the way the government is going to justify this change is by saying that municipalities will be responsible for hard services. In other words, those costs will be transferred to the municipality, things like roads, water and sewer, and so on.

But if you add up all of the expenditures on those hard services currently, you find a \$2-billion shortfall. All that indicates to me is that the government is going to cut a good portion of that, that while the provincial government is going to take over the full responsibility for financing education, it is not going to replace the total \$4.5 billion currently raised from the local property taxes. There's a \$2-billion shortfall and we may see cuts in education of that magnitude over and above what we've already seen.

It's true that not all of those cuts may come from education; they may come from other services that the government is taking over in exchange for the municipalities taking over hard services such as social services and so on, but we're going to see major cuts to education. The minister has said that we can expect another \$1 billion in cuts. This is over and beyond the \$400 million that the provincial government has already taken out of elementary and secondary education in Ontario.

We've debated at length in this House, and will continue to debate, the issue of the government's promises to the people of Ontario. When serving as the third party leader, the now Premier of the province made it clear that any cuts that his party was going to propose to education would not adversely affect classroom education in Ontario. We have the minister stand repeatedly in this House and say, "There haven't been any cuts to classroom education. Classroom education has not been adversely affected by the \$400 million already cut out," which, annualized, works out to about \$1 billion cut out of the provincial funding for education. The minister has also emphatically stated that special education has not been hurt, that there hasn't been any curtailing of special education in this province. He said that repeatedly in this House.

I would refer you, Speaker, to two letters I've just recently received from people who are certainly not supporters of our party. The first one I would like to refer to is from the Prescott-Russell County Board of Education, an area that I know you, Speaker, have significant interest in and are familiar with.

This is a letter signed by A. Anderson, the chair of the board, and F. Todd, the chair of the special education advisory committee of that board. I'll read just a portion:

"The special education advisory committee of the Prescott-Russell County Board of Education has directed that we advise you" — meaning the Minister of Education — "of our deep dissatisfaction regarding the continued enormous reductions to educational funding...."

"You must be aware, however, that every dollar reduction in grants does indeed affect all students, as already overcrowded classrooms must accommodate additional numbers.

"The unconscionable recent cuts by your government are impacting very strongly on our most vulnerable and needy students. Our special needs students are being targeted by reduced funding and will have services reduced as their needs cannot be met."

This is a letter to a minister who has continually stated that special education in this province has not been hurt by the government's cuts.

The letter also points out what the law requires boards to provide special education to special needs students.

"Reductions by your government to school boards in general, but the effects on special education students in particular, are unacceptable.

"We have had reductions to programs and services where students in all areas of exceptionality have been affected, eg:

"Reduced services: most of the support to occupational therapy, speech therapy and physiotherapy.

"Reduced programs: ... (b) in-class resource support for learning-disabled, speech-language and developmentally delayed students reduced by 60%; (c) self-contained class time for learning-disabled students reduced by 40%...."

"Because of the cuts to the three previous programs, our resource withdrawal time per student who need support in behavioral, learning disabled, speech therapy, autism, physical, multiple developmentally handicapped and gifted areas have been reduced by approximately 38%."

"(e) personal care programs delivered to physically, developmentally and multiple handicapped students also drastically reduced.

"Our schools are adversely affected as we have higher numbers in our regular classes with more needy students integrated with less support.

"Time for crisis prevention work is non-existent.

"If your government is truly concerned with the youngest clients you are supposed to serve, you will reconsider your grants especially to special education.

"Tell us, Mr Snobelen, what you see for the future of Ontario students, especially exceptional children. What is your vision for them? We need realistic answers now.

"Please — no further cuts. Do not destroy further the educational system which has often been the envy of other societies."

That is from the county board of education in Prescott-Russell.

2000

I have another letter, this time from the North Shore District Roman Catholic Separate School Board, which is headquartered in Blind River. This is from Lillian

Hildebrandt, the chair of the special education advisory committee of the North Shore District Roman Catholic Separate School Board. It says, in part:

"The special education advisory committee of the North Shore District Roman Catholic Separate School Board is responding to your recent reduction of funds for school boards as it has resulted in cuts to programs and services to exceptional students.

"The number of children in need in our area from 1993 to 1996 has not changed, however, we have lost special education teachers and we have seen a reduction in teacher aides. Speech/language services, psychological assessments, and in-school diagnostic assessments have all been postponed until January in order to review the budgets. In addition, our special education consultant has been cut from full-time to part-time...."

"[T]his reduction in funds is obviously affecting classrooms and children. You have recently stated that your government's objective is to achieve quality education through a more efficient and cost-effective system, and that you will ensure that all children in Ontario have equal access through greater equity in the funding of our schools.

"In order to ensure that children in our province are receiving special education and services in a fair and equitable manner, we have the following recommendations:

"(1) That your ministry outline quality indicators and provincial standards for special education.

"(2) That dedicated funding for special education be provided to boards so that the needs of students will be met in accordance with the Education Act...."

"In order to ensure a healthy society in the future, it would be risky to remove funding from students that are in great need of support in the educational system."

How can a minister of the crown responsible for education of youth in this province stand here in the House and state that special education has not been adversely affected, that there have been no cuts — those were the words he used — to special education, when we have the very people who are responsible for delivering special education to special needs students in this province writing to the minister and stating clearly that the cuts that the provincial government has made in education funding have resulted in cuts to special education and that children with special needs are not having their needs met?

It is particularly galling to me, as one of many members of this House who are concerned about the needs of our kids, to have the minister most responsible for meeting those educational needs stand here and completely misrepresent the situation. This is a minister who said he wanted to create a crisis. Well, I can tell you he's creating a crisis. Because of the cuts in funding, and the further cuts in funding he's proposing to make, kids who need special help are not getting it.

The Acting Speaker (Mr Bert Johnson): Perhaps the member for Algoma would help me in bringing the debate within the motion or the amendment of the motion.

Mr Wildman: I'm sure the Speaker is fully aware that this motion and the amendment deal with the government's agenda. I said at the beginning that I was dealing with the amendment and the main motion, and I will

continue to do so. I've said very clearly throughout the debate, Speaker — I know you weren't here earlier, so you won't know this — that the government did not need to move this motion, and the amendment that has been put by my friend the member for Renfrew North I think is not necessary either. We don't have to tell the world that we're extending the fall session; that's exactly what we are doing. But this government is pretending that it's a spring session. That's what this motion is about, that's what the amendment is about, and the reason we're sitting next week and then coming back in January is not only to complete the agenda of the government that is already on the order paper but to deal with changes to education governance in the province and to municipal governance. I'm sure you're aware of that. That's what I'm dealing with. The Premier, of course, made that clear to this House in his statement last Thursday.

It was interesting too that the Premier has mused recently that kids are not getting adequate exercise in this province, and he's right, particularly secondary school students. Many of them are not participating in physical activity in a way that will ensure their physical health, and this is affecting their whole being and their ability to achieve well, both physically and mentally, in school. Having said that, I wonder then why it is that the proposals for changes in education that we're going to see in this so-called spring session will deal with secondary school reform and one of those reforms, one of the proposed reforms by the Minister of Education and Training, is that physical education in secondary school will no longer be compulsory. Surely that is contradictory to the Premier's own position that students need to have adequate physical training and exercise, but that's apparently one of the things that we're headed for going into this so-called spring session that begins on January 13.

We know we're headed for major cuts. We've had a government that has ruled by trial balloon for the last three months, a government that has issued veiled threats about what is coming with regard to educational reform and municipal reform, and now we have the Premier state in this House that these are the two major issues, two major initiatives, that must be dealt with in the January so-called spring session.

What are those threats? One of the threats that has come forward is that there are going to be significantly fewer school boards in the province. We might see enormous regional boards established as part of this restructuring. The Crombie commission said that boards should, where possible, mirror regional governments. What this is going to mean in northern Ontario I'm not sure, but the Crombie commission has already said as well that there should be district governments in northern Ontario and that even unorganized areas would somehow be incorporated in these kinds of municipal governments.

As I've said, we've seen with the cuts to education already special education being decimated in this province, we've seen larger classrooms, we've seen programs cancelled; apparently physical education may be one of them, but we've seen music programs cancelled, we've seen art programs cancelled, we've seen guidance services curtailed, we've seen remedial classes curtailed, resource programs curtailed as well.

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And now we have proposals by the government, apparently, to transfer some of the roles, some of the activities, some of the responsibilities of school boards in this province to the municipalities, whatever shape the municipalities will take after they have been restructured. Things like administration, maintenance of schools, busing and so on might be the responsibility of municipalities, but we haven't seen the legislation yet. We may see some of it next week, if the House sits next week, if this motion passes, but we haven't seen it yet. Yet we have a Premier and a government House leader who say, "We must have it."

If we must have it, why hasn't it even been introduced for first reading yet? Why is it that we have to have it passed in the spring session? Why can't it be done in a more orderly fashion to ensure proper public input, that all the interested parties in the municipal sector, in the education community have fair input and a say, and then that we pass it in an orderly fashion as we would normally pass it, in the fall finally? Why couldn't we act that way? I suspect it's because the government is concerned that that might give people time to properly analyse what is being proposed and to organize to oppose it, so the government would like to ram this through and make the \$3 billion in savings that it wants.

Other proposals have been mused about by the minister, and certain other members of the government back bench have also talked about this: They've mused at times about having the private sector take over the maintenance and operation of schools, that we might have lease-back arrangements with the private sector, that we may bring profit into the operation of our schools.

We've had proposals for charter schools — I know there's a proposal out there in Ottawa for a French-language charter school — and the minister has suggested that might be part of his education reform. In our view, charter schools are simply little more than private schools at public expense. We believe we've had developed in this province a strong public education system of which we should be proud, a system that can be and should be improved to make it possible to better serve the students going into the 21st century, but we shouldn't be attacking the system and tearing it down and restructuring it in such a way that it isn't going to be able to properly serve the needs of students.

The government is now talking about taking another \$600 million to \$1 billion out the education system. The government is talking about changing the collective bargaining system for teachers as part of this restructuring. The government is suggesting that something is wrong with Bill 100, that it hasn't worked, even though 97% of the agreements have been negotiated without any kind of disruption, either lockout or strike, in the last 20 years that Bill 100 has been in place.

The Minister of Education and Training appointed one of his friends, a Mr Paroian, to go out and hold hearings. He got very upset because not only did teachers' federations say to him, "We don't need to change Bill 100," but so too did boards of education across Ontario. So what happened? Mr Paroian at one point said, in response to a suggestion that if the system ain't broke, you don't

need to fix it, that his motto was, "If the system ain't broke, break it."

That's what this government is about. That's why we're going to be coming back in January: to break the education system. It's clearly in line with the Minister of Education and Training's view that we must create a crisis — "We must invent a crisis," is the term he used — in order to make radical change in the system. We've got a secondary school reform proposal out there that may result in major changes which will make it more difficult for students to meet their potential and be prepared for the work world or for post-secondary education.

This is all of a piece, all part of the problem the government House leader has had. He's got a long wish list, enough for more than one session, that he wants to get through by December 12. It is now December 10. It can't be done. We indicated, as did the official opposition, that if he really needed this wish list passed — a long list of bills for third reading, a number of other very controversial bills for second reading that are already on the order paper — we'd be willing to extend the session to December 19 and even to come back in January. We made that clear.

But we also have a government that has decided to introduce, along with some of the controversial matters already before the House, new legislation, legislation that is going to restructure municipalities and municipal government, municipal responsibilities across this province, that is going to restructure educational governance and the way we operate our public education system in this province.

In order to introduce those pieces of legislation resulting from the Crombie panel's work, this government has decided that spring will start in January; and that not only will these pieces of legislation be introduced for first reading so that people can look at them and we can have proper consultation and input, but they must be debated for second and third reading in this session and passed. Rather than doing it in an orderly fashion, having the intersession with hearings in the summer and finally passing it next fall, the government has determined it must be passed. But they intentionally did not bring it forward until the end. They haven't even brought it forward yet. We still haven't seen the legislation.

The amendment put forward by my friend from Renfrew North would say that we're not talking about a spring session in January, that we're prepared to come back in January but it will be the resumption of the fall session. I understand that and I suppose I could support that amendment. But frankly, I don't think we have to have a motion of this House telling us that it is not spring in January. I don't really think we need to have a motion of the House trying to tell us that it's fall in January either. It's winter, and we're having a session in the winter which is an extension of the fall session. The opposition is prepared to cooperate in that, but we're not prepared to cooperate with the government in trying to purposely circumvent the rule by pretending it's spring in January.

We've got a long list on the order paper. We're prepared to come back next week to debate whatever the

government wants to call off that list, and we're prepared to come back in January and debate those matters in January and February to get them passed because the government says its agenda requires them to be passed. We are not prepared to cooperate with this government in circumventing the rule, in ramming through major structural changes to municipalities and education in the province, without proper consultation and a thoughtful, considered approach to changes that will have major ramifications for many years to come right across this province. We won't cooperate.

We also are most concerned about what has happened or appears to have happened in the Minister of Health's office and in the security of OHIP records. We believe there must be a proper inquiry into that to determine how widespread the problem is, how we can ensure that there is proper security of personal information, medical records, OHIP information. We believe there should be an inquiry or a committee of this House to properly deal with that and have the powers to investigate whatever contraventions of the law may have taken place, to determine how widespread the problem is, who knew what when and why, and what was done with this information. Those are matters that we'll be debating next week, if we come back, if this motion passes, and that we will be debating in January if this motion passes.

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As I said, I don't really think we need an amendment to tell us that it isn't spring in January. I don't think we need to have an amendment that tells us we are resuming the fall session. I could support that amendment put forward by my friend from Renfrew North, but in the interests of being sensible, using common sense, to coin a phrase, and to understand what time of year we're actually in, I am prepared to suggest that we should be amending the amendment and to make it clear that what we as an opposition are prepared to do is to extend this session to deal with the matters that are before us.

If the government wishes to introduce new pieces of legislation, if the government wishes to bring forward for first reading legislation that pertains to municipal restructuring and to educational government's restructuring, so be it. It will make it possible for the public debate to begin, for people to analyse what this government is proposing and to be able to make their decisions on that basis. But we do not accept and will not accept that it is proper for this government to debate those matters at second reading and at third reading and to ram them through without proper consultation and consideration.

As I said at the outset, the government House leader has found himself in a situation which is reminiscent of situations that government House leaders from all parties, all governments, have found themselves in. They've got a long list, a list that is far too long, that they want by Christmas. Essentially, they want it by December 12, and it's now December 10.

Mr David Turnbull (York Mills): You never did this.

Mr Wildman: No, I said this is common. I said it's reminiscent of all governments. I never said we didn't do it. I said all governments have found themselves in this situation. I'm being quite frank. All governments have found themselves in this situation, all government House

leaders have found themselves in this situation. It is quite common in the history of this place to have the government decide to extend the session. It's quite acceptable to us to have the government extend the session, quite acceptable. We're prepared to be here next week. We'd be happy to have question period and deal with the issues of public importance in the House. We're quite happy to come back in January, recognizing that it is an extension of the session we are now in, to try to complete the work that the government House leader believes must be completed.

But we are not prepared to move beyond that and to ram through legislation that is going to have major ramifications for municipal governance and educational governance in this province.

For that reason, I move that the amendment to the motion be amended by striking out all of the words after "1997" in the motion.

The Acting Speaker: Mr Wildman has moved that the amendment to the motion be amended by striking out all the words after "1997." I have some reservations about the amendment to the motion, but in the spirit of this evening, I suggest that the debate continue. The Chair recognizes the member for York Mills.

Mr Turnbull: This motion is a routine motion and as such is fully debatable, and that's indeed what we're doing at this time. The motion was brought forward to the House leaders for the opposition parties some one and a half weeks ago and they were made aware of the fact that we were going to do it like this.

The Premier announced earlier this month, on December 4, that he wanted to bring the House back on January 13 — we will sit through March — and that was going to be an early start to the spring session. I was delighted at the time that the opposition agreed this was a good idea, to have the House sitting.

This debate at this stage has degenerated into a discussion about: Is it an extension of the fall sitting or is the beginning of the spring sitting? My good friend the member for Algoma has suggested it's in fact winter, a very sage comment on his part. The taxpayers frankly don't give a tinker's for the idea that we're arguing about what we call the session.

Let's be very clear about this: What the government is doing is bringing forward bills to do with the Who Does What committees which have been considering ways of implementing the agenda we put forward to the people some one year before the last election. That agenda, which was known as an agenda for people, was in fact something which was arrived at by discussion with the citizens of the whole of this province over some three-year period. I was a part of those discussions. We went to every conceivable part of the province and spoke in a lot of church halls, a lot of school halls —

Mr James J. Bradley (St Catharines): Every chamber of commerce in the province.

Mr Turnbull: Yes indeed, we did speak to chambers of commerce. I would suggest to the member for St Catharines that perhaps your government didn't take any notice of chambers of commerce, but indeed our government does want to make sure that this becomes the most prosperous part of Canada and in fact North America.

The whole thrust of creating jobs, a vital part of it, is to make sure that we are listening to the desires of all people, including those who are represented by the chamber of commerce.

This election commitment was very clear. I can go back and show the member for St Catharines debates and discussions and parts of the document, the Common Sense Revolution, which speak to the fact that we would eliminate duplication and waste in government. Nobody can be under any illusions as to the fact that we spoke about the need for this. Indeed it wasn't our idea, it was the idea of the good people of Ontario who met in those church basements and school halls and told us about their concerns; concerns which I may say were certainly reflective of concerns that developed from the actions of the last government, a government which managed to reduce the number of jobs in this province by 10,000 in its five years in office.

Let's be very, very clear about this. This was a world recession and I'm not suggesting that it was a happy time to be a government. I am not for one minute suggesting that any government would have had an easy time of it, so let's put that on the record. However, you can exacerbate a situation by doing all the wrong things, and that is indeed what the last government did.

We made a commitment in the election that we were going to cut out unnecessary duplication and we were going to make government slim and receptive to what people can afford and need. That's what we're doing at this moment.

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We've seen this debate head off in various directions. I listened very carefully to the debate from the member for Algoma. He made reference to the fact that not only do they not want to come and sit in January if this is called a spring session — which would allow us to bring forward new legislation, legislation which, had we brought it forward this fall, I have absolutely every conviction they would be saying: "Oh, you've pushed it forward too quickly. How can you possibly do that? Maybe you should put it off for another day." To all those people who say, "Maybe you're hurrying too much," I would say probably not.

I suspect that the very people who criticize us for hurrying and for the fact that we will have to cut some more dollars out of the budget to get a balanced budget within this mandate will be the selfsame people who in the next election will be saying, "Oh, you've increased the provincial debt." That's absolutely correct. Had we immediately moved and cut off that excessive spending that the previous government and in fact the government before it got into, we wouldn't have to take such drastic action today. If we had continued on the same trajectory of the budget from 1985, just inflation-adjusted, we would have had a fully balanced budget.

Usually the cry that comes from the Liberals is, "We were the only government that in 20 years had a balanced budget." Let's just speak to that issue before we even get it. We now know from the Provincial Auditor that it wasn't quite as it seemed. But in addition to that, the particular year they did achieve, according to their own numbers, a balanced budget was the year they had

budgeted for a deficit of \$550 million. But by some incredible luck, the economy was very hot throughout Canada and they got an unusual transfer from Ottawa of \$888 million. On that basis, one would assume they would not have had a deficit but a very large \$300-million or \$400-million surplus, but in fact they had a surplus of only about \$100 million. This clearly shows that unless they'd been bailed out by that unusual payment, they would have been even deeper in debt. So this patina of good management they try to put forward in all their statements is just patently wrong.

There was also discussion in the debate of the fact that the New Democratic Party would like something other than having the Information and Privacy Commissioner investigating the circumstances under which a very unfortunate statement was made to the press by a staff member, who was immediately dismissed.

Interjections.

Mr Turnbull: They're saying, "How can you possibly have the commissioner investigate this?" I'll remind you, since it hasn't been mentioned here yet, that when Ms Gigantes mentioned the name of a patient — which was an equally serious situation — and resigned, much in the same way as the former Minister of Health resigned, then it was investigated at the behest of the NDP government by guess who, folks? Yes, the Information and Privacy Commissioner. So in both cases the Minister of Health resigned and in both cases we've got the Information and Privacy Commissioner investigating. Big difference, though: Of course, with the NDP it was the minister who spoke the information, and in this case it was a staffer who has been dismissed from his job.

Mr Conway: With malice aforethought, you smeared a doctor.

Mr Turnbull: I hear from my good friend the member for Renfrew North that with malice aforethought we smeared the doctor. So this member of the Legislature is acting as judge, jury and hangman on this particular issue. I thought they at least stood for some process, but apparently not. I understand that my good friend across the floor may be a little bit antsy because he backed the wrong horse in a recent race, but this quite simply is ridiculous. The man who uttered the words has lost his job. Are we suggesting that somehow he planned to lose his job? That's utterly preposterous. As well as that, the minister has stepped aside. He's done the honourable thing and he did it at the first possible moment that the Legislature sat after this event occurred, unlike many of the events —

Interjections.

Mr Turnbull: I see my friends across the floor have woken up a little bit to this debate.

Mr Conway: Richard Nixon resigned, but he still needed a pardon.

Mr Turnbull: My friend from Renfrew North is saying Richard Nixon resigned and he needed a pardon. Are we for one moment suggesting that a minister who immediately steps aside is in some way mixed up with something, whereas you have a President who in fact was hounded out of office, and rightly so, because of criminal activities that not a right-hand person but a whole host of

people were involved with? It is utterly preposterous, the comparison that is being made.

Here we have an amendment being made to this routine motion that in fact we cannot call this a spring session but we should call it a fall session. My friend, by the time we're in January, I assure you it ain't fall. You may make the argument it ain't spring either, but that's the way the legislative calendar works. What we are doing is bringing forward the spring session to start early because we have a lot of work to do, unlike the NDP, who in the last year in government hardly brought the Legislature together. They never had to face the opposition at question period each day because they were hiding from the public. Here is an opportunity for you to ask questions each and every day that the Legislature sits, and we welcome that. The NDP did not stand up to that test because they were scared to bring the Legislature back. There were all kinds of issues which needed to be debated, but we were denied the opportunity to debate them.

So we are bringing the Legislature forward from its normal beginning around March 17 to the middle of January, and in this way we will be able to bring forward bills which, yes, we could have brought forward this fall, but we believed that they deserved more consideration, that we get all of the i's dotted and the t's crossed. No doubt our friends across the floor will at some point be suggesting they don't like the punctuation. That's fine, and you are doing your job as opposition as you should do, but the idea that there is something inherently wrong with the process of starting the legislative year a little earlier than usual and making the legislators come back and be answerable each day in question period is utterly preposterous.

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Therefore, I am fully in favour of this motion. I think the two amendments that have been put forward are rather silly and of a nature that the taxpayers certainly wouldn't understand. They're interested in us getting on with the job. Whether people agree with our agenda or not is a different matter, but the fact is we were given a mandate based upon a program to eliminate duplication and waste, and that is precisely what the exercise in January will be all about in bringing in the Who Does What legislation.

Mr Bradley: I'm absolutely astounded at the intervention of the chief government whip. My friend the member for Renfrew North says that we get this all the time when there's a vacancy in the cabinet: There are those who endeavour to rise to the occasion and to defend the totally indefensible in the hope that the Premier might well be watching this from wherever the Conservative Party is in celebration this evening or perhaps will watch the replay at some future time. I wish the member well in that endeavour, but not in passing this resolution.

This resolution looks benign. The government will endeavour to persuade the people of this province, those who might care, or members of the news media that it is routine in that it simply allows for the Legislature to sit. But on the other hand they put a spin on it that says it's not routine and that the Premier wants this new working session.

The fact is, the government is forced into this by the fact that it did not bring forth its legislation in a timely fashion at the beginning of this particular session, the fall session. Instead, it waited till well into the session before it started to bring in legislation and even at this point in time does not have some of its major legislation ready. That is fine with us. We recognize that in some cases it's going to take a little longer to be able to prepare legislation. That's why we think it would be appropriate for the government to delay the presentation of that legislation until the normal spring session of the Legislative Assembly.

The public should realize that the government is back to the tricks that it was pulling over Bill 26. This is the thick bill everybody in the province will remember. We in the opposition and some in the news media referred to this as the bully bill, in that it modified, it amended, it changed and deleted — in other words, it affected in some way — some 47 different acts of the Ontario Legislature. They threw everything but the kitchen sink into this piece of legislation and tried to ram it through before Christmas.

That is a pattern the government developed, trying to bully its way through the Legislature and past some of its opponents in the province. And yet what I'm hearing from people in the community is that the government is moving far too quickly and far too drastically except to suit only the right-wing zealots within the community, who are a distinct minority. But what I call regular conservatives, people who are cautious in their approach, people who are careful in their approach, are asking why it is that this government, which seems to have a number of zealots in it —

Mr Conway: Thatcherites bent on a poll tax.

Mr Bradley: As the member for Renfrew North appropriately notes, Thatcherites almost all, wanting to push through legislation which is going to make drastic changes in the province.

Now, people are not averse to change. People are not averse to looking at existing structures and saying, "Can we make them better?" People are certainly not averse to looking for efficiency: value for the dollar spent, value for the dollar invested by government, those dollars being the dollars owned by taxpayers in this province. But they are concerned that the government is moving very quickly, very drastically, and not looking carefully at the ramifications of their actions; in other words, bringing forward the bills so quickly, getting their ideas up from New Jersey and Mississippi and Alabama and wherever else they get these ideas, the Republican platform, and wanting to implement them quickly in a province that doesn't fit that way. The government whip smiles. He knows what I am saying is true, I'm sure.

We were astonished this week to discover that the government is once again endeavouring to bully or intimidate some of its opponents. In this case, an individual who was a very high official, a key aide to the Minister of Health, his name is Mr Brett James, resigned. He resigned because he had phoned a reporter to tell that reporter that he had information on the billing of Dr Bill Hughes. It was alleged that Dr Hughes has the highest billing in the province, as though that's supposed to mean

something. I don't know what it's supposed to mean. It may be he's an extremely productive and active member of the medical profession. But that isn't the point. I notice that some people want to get sidetracked on the issue of whether doctors' billings should be public or not. That is not the point. That is a debate for another day.

The point is, why did this person in the minister's office obtain this information, and why was this person in the minister's office, a very close aide to the minister, prepared to share that with the news media? The reason was intimidation; the reason was trying to damage the reputation of the person who dared to be in conflict with the government or to disagree with the government. I believe that in a democracy, or indeed anywhere, but particularly in a democracy, it's extremely important that we counter arguments with other arguments; that indeed if the position of the government cannot be sustained by the logical arguments that are presented to defend that position, the government should not then embark upon smear campaigns, trying to discredit those who would be critical.

This is extremely serious, when any government gets into this. This is not the first government that's ever engaged in this; it's happened before. We would hope it wouldn't happen again. The member for Renfrew North made reference to a hearing previously involving Ms Martel, the member for Sudbury East. At that time, there was a very extensive committee hearing of this Legislature and we were assured, as a Legislature that there would be very careful controls put on the release of information from the Ontario health insurance plan from the Ministry of Health. I know I felt assured, and I knew they had learned from that instance that it was essential to do so, and yet this has been violated. One cannot draw any conclusion other than the fact that it was done to discredit someone who dared to differ in his views from the government.

In addition to this, as has been pointed out by previous speakers, there is only one way, judging from that committee hearing, that information can be obtained, and that is that the minister may request that or someone very high in the minister's office, perhaps a deputy minister. But I don't know how a political office — because remember, we're not talking about the civil service, we're talking about the political office, the political aides to the Minister of Health, and that becomes extremely dangerous when that happens.

Think of it this way: how any person in this province who dared to differ with a government — not necessarily this government — would feel if that person had a psychiatric record, for instance, and perhaps that psychiatric problem had been a number of years ago. What would that person feel if that person thought, "I would like to criticize the government, but perhaps somebody in that government will reveal a psychiatric record from many years ago"? That person would feel restrained; that person would feel intimidated. That's why it's important to counter with arguments.

If the Minister of Health or any of his political assistants differs with members of the Ontario Medical Association, they should differ on policy, they should differ on legislative measures, they should differ on regulations,

they should differ on ideas; they should not utilize smear campaigns or intimidation to change people's minds. I think you have to be up front with them.

I was speaking with an individual I know in St Catharines by the name of Mel Lyon, who lives on Kilbourne Crescent in St Catharines. Mel is the kind of person who would want to confront someone else up front, no sneaky, behind-the-scenes "I'll smear you." He's the kind of person who's typical of most Ontarians, who would say: "If you have an argument, present the argument directly to me. Don't go behind my back. Don't use some other method to try to discredit me." I think most people in this province would agree with Mel and others who would have that opinion.

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The opposition has justifiably called for a committee hearing, that is, a committee of the Ontario Legislature, including representatives of all three political parties and appropriate staff, to have a hearing into this matter, because it has political implications. It is no surprise to me that the Premier chose to send it to the Information and Privacy Commissioner. The reason for that is that's the narrowest possible investigation that anyone can have, first of all, and second, it's all behind closed doors. The public does not have access to it. The news media do not have access to it. Other members of the Legislature do not have access to it. That simply isn't satisfactory.

If the Premier has nothing to hide, if the minister has nothing to hide, I'm sure that they would both be pleased to have this before a committee of the Legislature. The government members have a majority on this committee. It would be out in the open. Members could testify. Members could be brought before the committee to testify, and I presume could do so under oath and could be subpoenaed with a Speaker's warrant to appear before a committee. That cannot be done in the case of the Information and Privacy Commissioner. The perception the public is going to have is that the government is using its 82 bristles, that is, its 82 members, to sweep this matter under the rug. That is simply not satisfactory.

Notwithstanding the answers of the Premier in this House to the Leader of the Opposition, Dalton McGuinty, to the leader of the third party and to other members who have questioned him, clearly the public, who are objective, including of course the president of the Ontario Medical Association, would believe that a parliamentary or, as we call it, a legislative committee investigation would be most appropriate. That's aboveboard, that's in public, that's for all to see and for all to testify. The government has chosen so far to stonewall, if I may use that terminology, instead of proceeding with that committee.

I'm concerned that the government has moved this motion and is going to proceed with this motion, which in effect is going to change the rules in midstream. I was somewhat alarmed when I heard the Speaker say earlier today, and he was simply reflecting a viewpoint which I suppose has been presented to him, that the Legislature changes rules from time to time and can do so at any time. I agree that it can be done at any time, but the ordinary procedure is that it will be done with the consent of all three parties, recognized parties, in this Legislature, that is, representing the overwhelming majority of

members in this Legislature. When that happens, I think that kind of consensus is acceptable and that we can see modifications to accommodate certain matters that come before this House. But this is being done unilaterally by the government.

This is a government we have told as an opposition that we wish to see the House continue to sit, if necessary, closer to the period of Christmas, even though that's outside the parliamentary calendar. We're not opposing that. We in fact think it's a good idea. It gives us more question periods. It makes the government more accountable.

We also have no objection to the House returning to session on January 13 of this year — that makes sense — to take the legislation in the carry-over period, that is, the fall session, and complete that legislation. I understand that, and I think that's very reasonable.

What we object to is the government getting around a rule by declaring a new session, a spring session — I always thought spring began about March 21 or 22 — which would begin January 13. The purpose is so the government can get around the rule which prohibits it from introducing important legislation without consent during the last eight sitting days of the Legislature either before Christmas or before summer.

The intersession period of time is an important one. That is when the Legislature is not sitting. Committees of the Legislature travel across the province to get input from people in Hastings-Peterborough or in Sarnia or in Nickel Belt. I know the people of Chelmsford appreciated the opportunity to go to Sudbury, for instance. The people of Mitchell, Ontario, and Monkton have appreciated the opportunity to go to Stratford or to London to make presentations.

The Acting Speaker: Brunner.

Mr Bradley: Brunner as well, as the Speaker mentions, and all of those places.

Mr Conway: Fullarton.

Mr Bradley: And Fullarton. All these places are very important, and we've got to have that. This is going to alter that particular timing and make it more difficult to have that kind of input from people such as members of the fire department, who are very concerned about a bill, I think it's Bill 84, that is before this Legislature for consideration.

I'm concerned that the House does continue to sit. The reason I want the House to sit is because I want to deal with matters of great importance. I want to deal with the proposed hospital closings around the province. On Thursday of this week, the local hospital restructuring commission will be presenting a report. That report is going to be based upon the fact that the Ontario government said, "We've got to see some restructuring changes." In fact, what's been happening in my community over the years is restructuring. There has been rationalization of the services available through the three major hospitals and the major rehabilitation centre that exist within the boundaries of our city. That has taken place. There have been some moves to effect efficiencies. They haven't always been popular, but those moves have been made.

Now the government is demanding that further drastic changes be made, even though I notice — I was just looking through some notes I had, Mr Speaker, that you would be interested in. I watched the debate of the three leaders in the last election, and a lot of people I talk to who are friends of mine, people I know, who were inclined to be somewhat sympathetic to the Conservative government were so because they thought there would be some cuts, but there was a promise that one area wouldn't be touched, an area vital to everyone: health care. In response to a very direct question from Robert Fisher, the eminent journalist with Global TV, during the leaders' debate on whether his promise to protect health care meant he would not close hospitals, Mr Harris answered, "Well, certainly I can guarantee you that it's not my plan to close hospitals." That will be a surprise to a number of people in this province, because in community after community after community there's a great fear that hospitals are going to be closed.

I was looking at some clippings from the St Catharines Standard today, my local newspaper, which is now under the control, unfortunately, of Conrad Black, but it is a very good newspaper. It had some people demonstrating outside of Hotel Dieu Hospital, concerned that their jobs would disappear, that the hospital could be in jeopardy. On Thursday morning, we're going to see that report come down.

People who just a few years ago would never have suggested that hospitals should close or that there should be a drastic reduction in health care services in our community are suddenly silent. Why are they silent? It ties in a bit to the situation with the Minister of Health and his resignation. It ties into intimidation. The same people who during previous administrations expressed the view that the health care system might well collapse if there was not a 10% increase in funding in a particular fiscal year have today turned tail and run — not because they want to; let me assure you of that. They are people who are genuinely concerned about our health care system, but they're intimidated, because some believe that if one hospital speaks up that will be the hospital that will be closed, or that if another institution happens to object it will be cut back drastically.

That is why I'm concerned. In our community people are going to be making decisions based on what I call crackpot realism, crackpot realism in that it is realistic, because the government has removed \$38 million in hospital funding from our area, \$38 million cut out of the hospital budgets in our area. They're going to say in effect, "If the government is going to cut off our leg at the hip, maybe if I cut off the leg at the knee, they'll let us away with just that much." And that's what's happening. We're having people make recommendations that are nonsense in various communities in this province, that are destroying the health care system that's there, because they're getting less money.

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I hope our local commission doesn't do that. They have gone around the Niagara Peninsula, done a good job, I think, in many ways of at least looking at the various needs we have in the Niagara Peninsula, assessing them, consulting people, and I think that's a good thing

to be doing. I have no objection to that. You will never hear me object to that. What you will hear me object to is people who will make recommendations based on the fact that the government's going to cut \$38 million out of their budget.

I think they have to be honest and up front. They have to say: "This is what we need in the Niagara region. We're not going to look at the dollars and cents at this moment. These are our needs, and then we will look at the fiscal part of it as well," because you can't exclude that, "but here are our needs." My fear is that everybody is looking at it based on the fact that we have to have a \$38-million cut in funding to hospitals in our area. I don't accept that and I never will accept it, and I'm going to be standing shoulder to shoulder with those hospitals that are adversely impacted by any decisions of this government and I don't care what anybody else is going to do about it. I think it's important. I think it's something where there's a consensus.

I listen to people today tell me that they have had relatives who have sat in the hallway for one or two or three days because there are not acute care beds available for them to be used. I hear people who were in hospital 10 years ago say that the care available in a hospital today is not as extensive and not of as high a quality as it was 10 years ago — not because the staff don't want it to be; they're run ragged. The staff is run ragged. The nurses in those hospitals, the orderlies, the nurses' aides, the RNAs, all the people who work in the hospital, are absolutely run ragged now. They're overworked and they have a difficult time looking after patients. They do their very best and they're kind to the people, they're understanding, they make them feel good, but they don't have the resources to carry out the responsibilities.

Don't tell me, anybody in this province, don't tell me that the care you can get in hospitals today is as comprehensive and as extensive as it was. Look at all the nurses they're firing out the door at places like the Toronto General Hospital — it's now called the Toronto Hospital — and just multiply that across the province. It's crackpot realism to say that somehow you're getting better service. When I hear people say, "We're going to have more than 200 fewer people working at our hospital but we're going to give you better service," I'm sorry, that is not going to happen. Why talk nonsense? It's not going to happen.

Let's have people be up front. Let's have people be honest and say, "We can't deliver that quality of care if you're going to cut us back this much," instead of running and hiding from this government, though I understand why they would feel intimidated. Well, I'm not going to be intimidated by that and I won't engage in crackpot realism as I see it happening in so many communities. You've scared the health councils, you've scared the local restructuring commissions, you've scared hospital administrators and hospital boards and so on by suggesting indirectly and implying that if they don't cut back drastically themselves you'll send in the provincial hospital closing commission, as I call it, and impose that. And remember that under Bill 26 — and you wondered why we objected to this — it's very difficult, or impos-

sible, to appeal the decision of the hospital closing commission under Dr Sinclair.

That's why we will need this House in session, and I hope all members from the Niagara region will be joining me in the fight to maintain high-quality health care services. I hope as well that they will recognize that the reason we're taking \$38 million out of hospitals in Niagara, as they are in Sarnia and Peterborough and other places, is because they have to finance an idiotic tax cut.

Idiotic is what it is. No longer can anybody justify it. The only people who will do it now are the Premier and the Treasurer and people who are told to. Everybody understands now what the cost of this tax cut, which most benefits the very rich, is to this province.

I'm hearing people say to me today: "You know, I was intrigued. A 30% income tax cut really sounded good to me. I'd love to have that disposable money. I'd like to buy a new fridge or buy some new clothes or something or have some entertainment." But when you explain to them the cuts in the health care system, in the education system, in the social safety net for people, in transportation, in so many areas of the province, when you mention that, they say: "Why don't you postpone it? Why don't you wait till you balance your budget?"

They understand that you have to borrow the money, that when you have the full tax cut implemented — that is, the 30% income tax implemented — it will cost you close to \$5 billion a year that you'll have to borrow. In other words, you'll get the credit card out and say, "I don't have the money now but I'm going to use this credit card so I can give people an income tax decrease." I suppose if I were a huge corporation president making millions of dollars a year, or hundreds of thousands, I would be getting a lot of money back and I maybe could buy my own health care or other services.

But to the overwhelming majority of people in this province, they like what we have in Ontario. They're proud of what governments of different political stripes have done, whether it's the Robarts or Davis or Peterson or Rae government. Some of the things we've had in this province that have been added upon and have been expanded and improved, they like that. That's something uniquely Canadian, to have those quality services available to us.

Yes, it costs us a little more and, yes, I'm as cranky as anybody else about paying taxes from time to time. We all look at the paycheque or go to the store and pay taxes and so on and become annoyed. But then you look around and you see what we have in this province, the quality of life we have built for people, the social safety net, and you contrast that with the United States, where you have an increasing polarization, an increasingly wide gulf between the rich and the poor, where those who have money can get, can buy, can put themselves in subdivisions surrounded by walls with a guard at the gate, while the people at the lower end of the income scale are forced to fend for themselves without the services provided in terms of public services. And then you see the government going on to other ill-advised measures.

The government House leader wondered why some of the legislation takes a long time. Let me tell the members of this Legislature and the people of this province why it

took so long to pass the bill on video lottery terminals. Video lottery terminals, or electronic slot machines, are called the crack cocaine of gambling. That's because you have an instant hit, an instant win, and they're so alluring, they're so seducing, they're so addictive. The government is not going to put them simply in casinos. Everybody in this House knows that I am not a fan of any kind of government gambling, but at least in the casinos — and we have three in this province now — and at least in the racetracks they're in a controlled environment. But the real agenda is to put them in every bar, in every restaurant, on every street, in every neighbourhood in Ontario. And why is that? That's again because of the tax cut. They've got to get the money somewhere else, so they're treading into the deep, dark, murky waters of video lottery terminals. Other jurisdictions that have them are now sorry they have them.

I saw a program on TVO a couple of weeks ago, an excellent program.

Mr Wildman: They're going to privatize it.

Mr Bradley: They're going to privatize TVO, unfortunately, and they shouldn't be privatizing the LCBO. I won't have time to talk about that, but I've asked a few questions in the House on that.

I want to go back to what they've done. They interviewed people. The governor of Louisiana had advice for the Premier of Ontario, "Don't do it, don't get into these video lottery terminals," because people become addicted, they lose the paycheque, they start stealing, the family suffers. How many times do we have to see these people on television baring their souls before we recognize that the government isn't doing what's right, it's doing what's expedient? A government surely has a moral and ethical obligation to avoid earning money from the avails of activities which are damaging to people, as much as that is possible, because I recognize that we don't live in a perfect world.

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In addition to this, because I have a minute or so, I want to be able to debate such things as the LCBO. I happen to think the Liquor Control Board of Ontario should be retained as it is. It provides high-quality service and good, clean stores. It has a quality product because it's tested time and again, and it keeps as many kids as possible from getting the booze in these places. Anybody who's going to tell me we're going to be better off with private liquor stores should go to Niagara Falls, New York, or anywhere in New York state and have a look at it, and you will see that is not true.

My colleague moved an amendment which would delete from the motion of the government a reference to this being a spring session and would simply state that the motion should say we will come back on January 13 to complete the business of the fall 1996 session. After that, the government can have its way. It can start a new session and we will be prepared to debate the legislation for as long as is necessary in this House.

Mr Wildman: On a point of order, Madam Speaker: I just want to beg the indulgence of the House and to inform you that the amendment to the amendment which I moved, I intend to withdraw. I've been persuaded by the higher intelligence of the member for Perth. We will

be introducing a subsequent amendment to the amendment by one of my colleagues.

The Acting Speaker (Ms Marilyn Churley): Further debate?

Mr Laughren: I am not sure I will be able to sustain myself for the full 30 minutes, but I shall make an effort to make some small contribution to the debate.

It's been said that people on this side of the House are not opposed to part of the motion that's been put by the government House leader, Mr Johnson, and that's true: We're not opposed to sitting the extra week this fall through till December 19, as opposed to the regular scheduled date of December 12. But what's got us puzzled is the way in which the government has decided to advance the spring session to January 13.

There have been a lot of comments made about the government cancelling the winter and moving directly into spring. That's fine for the government House leader, but I know that by January 13, when I drive my little car to the Sudbury airport to be picked up, I leave it idling on the Monday when I take it there; otherwise it won't start on the Friday when I get there to pick it up. Spring won't come early to the part of the province where I live.

Mr Conway: Not even in Shining Tree?

Mr Laughren: Not even in Shining Tree.

All of us are prepared to work through that session. There was a time in this Legislature when it sat for 13 consecutive months without any intersession in that period, so it's not unheard of for sessions to be extended. I would only put this small warning to you and ask you to draw upon the wisdom of Mark Twain, who said one time that when the Legislature is in session, no man, woman or child is safe. So I put that warning to you, that when you extend the legislative session, there are certain problems attached to it.

I think if I was a Tory, I would be concerned about all these extra sittings. Can you imagine how many extra question periods that's going to be for your ministers to attempt to deal with the opposition and for backbenchers then to have to go back home and explain the answers their cabinet ministers have given to the opposition? It's going to be an interesting time.

Mr Wildman: The member for Sarnia is able to do that.

Mr Laughren: The member for Sarnia has shown remarkable independence and courage, although I must say I don't think any of us had any idea of how much power he had. One day he lashes out at the Minister of Health and almost the next day the Minister of Health resigns. One can draw certain conclusions from that, and I don't want to be unfair to the member for Sarnia because I know he himself wouldn't cover himself with glory in this matter, but I think most of us understand that he is a very important member of that caucus.

The part of the motion from the government House leader that has offended us is the part that clearly is designed to circumvent the rules of this place, and that's so they can introduce new legislation when we come back in January. It's been said more eloquently by others, but I can tell you that is the part that's got us offended. We are not objecting to the extended sittings of this place. If we weren't sitting in the assembly, we'd be

sitting at committee meetings somewhere in the province anyway. So that part doesn't bother us. But I think it should be clear to the government members that it's this rather transparent circumvention of the standing orders that's got the members over here upset. I don't think it's fair to the public at large either.

When I think of how little consultation has been engaged in by this government, my mind goes back to what would have happened if, when the New Democrats were in government between 1990 and 1995, we had brought in Bill 40, the labour legislation, with as little consultation as you're engaging in, even though what you're doing is going to affect more people's lives in the province of Ontario than our labour legislation would in 100 years. You would not have accepted that for one minute. You would have ground this place to a halt. We did lots and lots and lots of consultation; some would say too much. But I can tell you, I would rather err on that side than what you people are doing with some very fundamental changes in this province. Whether it's restructuring municipal structures or whether it's reforming the educational system, you are not engaging in any serious consultation whatsoever.

Probably the two most blatant examples are the Crombie committee, or, as my friend from Renfrew North calls it —

Mr Conway: The Godfrey committee.

Mr Laughren: The Paul Godfrey committee. He may be more right than wrong in that regard. But that lack of consultation really is awful. It is unheard of in this province that a government would turn over to unelected people, appointed people, all with the same ideology and mindset as the government — no attempt to bring in any differing views. Oh, no. That wouldn't give you what you want. To turn over those important decisions to a body like that is completely unacceptable in a democratic society.

We know what you're doing. You did the same thing with the hospital commission, and there you really did it up in spades. The thought that you can duck on hospital closings by sending it out to a committee headed up by Dr Sinclair is outrageous.

Mr Conway: Let's not forget George Lund.

Mr Laughren: In my own community, the member who was appointed to that commission is George Lund. I happen to like George Lund, but he's a very well-known Tory. As a matter of fact, he sought the Tory nomination in Sudbury and was defeated by none other than Jim Gordon for the nomination.

Mr Conway: No, no.

Mr Laughren: Yes. There in itself lies a story, but not for tonight.

Mr Conway: If George Lund lost the contest to Jim Gordon, he'd have a story to tell.

Mr Laughren: He'd have a story to tell.

I know what they're trying to do. The government is saying among themselves, I'm sure, "We've got to drive our agenda now in the first half of our mandate, because in the second half of the mandate we're going to put this province to sleep." I'm sure that's their intention, and they're prepared to take all sorts of criticism for the next year. That's why they have to get this legislation through

now. Otherwise you could say: "What's the big hurry? What's the problem? Why are you jamming the municipal structures, the educational structure, the hospitals?" It all has to be done so fast.

There's obviously another reason. One reason, of course, is getting all of this done in the first half of their mandate so that they can cruise in the second half and take on an aura of Bill Davis Torydom in the second half of the mandate. I don't think it'll work, because by that time you will have impacted on people to the extent that they will never forget nor forgive.

The other reason, of course, is the famous tax cut. You've simply got to find the savings to pay for that tax cut, because it's going to be — I think somebody figured it out — about \$12 billion in your mandate. All of that is borrowed money, because you're not running a surplus, you're not running a balanced budget, so anything you give up on the revenue side, you've got to borrow to replace. You've got to. That's very simple, elementary arithmetic. So you've got a problem now. You've got to jam it because you want it done in the first half of your mandate and you've got to jam it because you've got to pay for that tax cut. If you don't do that, you've broken the most fundamental commitment that your leader made in the last provincial election, and that was the tax cut.

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I know you all thought it was so easy. I can remember getting bad news day after day after day on the revenue side when we were in office. The then leader of the third party, Mr Harris, would yell across the floor, "You don't have a revenue problem; you've got an expenditure problem." He said that over and over again. It was the Tory mantra between 1990 and 1995. "All we've got in this province is an expenditure problem, no revenue problem." No sympathy with us when we were battling the federal government with its reductions in transfer payments to us: "Stop your whining," he would say. He would use those words. "Stop your whining. You don't have a revenue problem; you've got an expenditure problem."

It was all so easy, all so simple, until you come to office. Then suddenly you realize it isn't as simple as you thought it was. But are you thoughtful enough as a government to understand that and 'fess up to that? Oh, no. There's a lot of testosterone flowing over there, I can tell you, Madam Speaker. Whether you recognize it or not, it's there. They're not going to back down for a minute. The gauntlet's been thrown down and they are going to challenge everybody in the province. Why else would they be making so many strange friends out there in the province?

So it's not as simple as they thought it was going to be. I think of the commitment, for example — and I remember thinking about this when I heard the then leader of the third party, Mr Harris, talk about how they were going to cut the income tax by 30%. Income tax is by far the biggest income source for the province, about \$13 billion a year. Cut that by 30%; it's very simple arithmetic. They were going to do that and not touch health care and not reduce any classroom spending. If you believe you can give a 30% income tax cut and not affect classroom education and not reduce health care

spending, you tell me where you get the money. Where do you get that kind of money? It simply cannot be done. You can of course do any one of those things: You can protect health care, you can protect classroom education and you can effect the tax cut. Now you're going to do all that while reducing the deficit.

Perhaps the government members need to understand — and I don't want to get into a debate on what the former government's plans were, but if you look at the published material, we were going to eliminate the deficit a year before you were. So who has the commitment to deficit reduction in this place? You know why it's going to take you an extra year to get the budget balanced? You know why, don't you? It's because of the tax cut. That's why it's going to take you a year longer than it would have taken us to reduce the deficit to zero and get into a balanced position, assuming, of course, that the economy remains healthy.

I really do shake my head sometimes about what the government is trying to do. I'm not surprised they are finding suddenly that the water is becoming pretty choppy, because it isn't as simple as they all thought it was going to be.

The decision by the government that it's got the answers and that they consist of restructuring in our most important sectors — for example, in the health care sector and the municipal sector — really makes me wonder who's running the shop over there. Is it an elected person who's calling the shots on the amalgamation of municipalities? Is it an elected person who's calling the shots on the closure of hospitals? I don't think so. I don't think there are very many elected people — certainly none who have been around a while — who would think it's as simple as those people think it is. They really think that all you have to do is reduce here, reduce there, amalgamate here, amalgamate there, and you'll get the savings you're after, and that if you're determined enough you can make it happen.

I think it was — perhaps I'll get help from the member for Renfrew North — Ronald Reagan or the people around him who once said that if you have power and don't use it that constitutes an abuse of power.

Mr Conway: Sounds about right.

Mr Laughren: It sounds about right for Reagan and the people around him.

I sometimes think of this government and this Premier and the people around him; I don't think it's the backbenchers who are clamouring for more hospital closures, who are clamouring for municipal amalgamation all across the province and who are calling for systematic change in our classrooms. Some of them are because some of them are true believers in the message from Newt Gingrich and Mike Harris. I can tell you that it takes a while but the time will come when you'll start to question what the leadership around your party is attempting to do.

Another example of where they're attempting to move in too hasty a way is on the whole issue of privatization. I spent some time, when my leader asked me to take on the task of being a critic for privatization, thinking about this and talking to people about it. As a matter of fact, there's a press conference tomorrow dealing with the

LCBO and its privatization. It's as though the government has decided: "Privatization is good. Public sector is bad. Therefore, why do we need to consult? Let's just privatize. Surely everybody thinks like we do. Privatization is better than the public sector."

You don't need to delve into this very deeply, but I would encourage the members opposite to think about this and do some reading about it. If you look at the water agency as an example and what happened in the UK when they privatized the water and sewage systems over there, it has made a dramatic difference in the delivery of water. Rates have gone up very dramatically. Now the largest single source of pollution into the rivers in the UK is the private sector water and sewage suppliers.

If you look at the example of privatized liquor, you can look at the United States model. They certainly have lots that you could look at. If you want the kind of liquor distribution system that they have in the United States, there are lots of models there you can look to and emulate. Personally, I've travelled in the States lots, and it's very convenient to be able to stop — I'm a camper myself — and before you set up camp go to the local store and pick up a small bottle of single malt or a case of beer or whatever. It's very convenient.

Mr Conway: For medicinal purposes only.

Mr Laughren: For medicinal purposes only, because you never know who you're going to run into who might get sick. The next camper, for example.

Mr Wildman: Part of the American distribution system involves Saturday night specials.

Mr Laughren: That's right. What stores get stuck up more than liquor stores, I wonder?

Anyway, what I'm trying to get at is that you need to spend more time on consulting with what the good people in this province really want. I know that this government has thrown away the rule book that was written by Bill Davis, I understand that, and he's held in great disrepute by this new Tory gang. But I think you might learn something from the way in which he and his predecessors kept your party in power for 42 consecutive years. I'm not suggesting that you should learn enough from them that you would stay in power for 42 years — God help us all — but simply that he knew how to consult. They knew how to consult. They consulted with people on a very regular basis and they didn't turn everything over to the backroom boys.

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I was looking at the educational system in particular, at a survey that was done of the school boards in the province. I notice that there could be some boards missing from this, but when I thought of the commitment of the government that there would be no cuts to classroom education, I asked, is it true that there's that much saving? They took \$400 million out in 1996 and there's a lot more to come, about \$600 million more to come. Can you really take that much out without affecting the classroom? If you can, then who would object very much to it? Not me. But this is what's happened in the school boards so far: 46 public boards report cuts in elementary teacher positions, not because of declining enrolment; 39 public boards report cuts in secondary teacher positions,

and that's a result of the \$400 million; 25 public boards — and I suspect it's more than this — have decided to cancel JK effective September 1996, have already cancelled it. Of course, as these cuts start clicking in optional programs such as junior kindergarten are gone. If that's not affecting the classroom, then I don't know what is. Any expert in education will tell you how important JK is.

There have been a number of comments made this evening by members of the official opposition about this party and some of our problems in the past. I can remember — and I stand to be corrected by the member for Renfrew North or the member for Kingston and The Islands, if I'm wrong — that the Liberal Party opposed mandatory JK when we brought it in. I think that's correct.

Mr Conway: Yes, it is. You're right.

Mr Laughren: So when I hear them talk now about — anyway, I don't want to dwell on that any more than I want to dwell — even though the Liberal members have talked about the Martel affair and so forth ad nauseam today —

Interjection.

Mr Laughren: Oh, there weren't too many speakers who didn't refer to that. I don't want to talk about Patti Starr because I don't think that would be appropriate.

Mr John Gerretsen (Kingston and The Islands): Why did you bring it up?

Mr Laughren: But I don't think there was any cabinet minister who resigned over the Patti Starr affair, was there?

Mr Conway: Several were discontinued in Her Majesty's service.

Mr Laughren: That's true. Anyway, I'd just like to point out that when you throw stones in this place you'd better think twice before you do so.

I want to get back to cuts in education. I don't know how I got diverted. It must have been because the member for Kingston and The Islands was bothering me.

Mr Wildman: These are only the public boards. It doesn't take in the separate boards.

Mr Laughren: This is only the public boards, that's correct. These are some programs that have been cancelled. At the elementary level, public school boards have reduced or eliminated elementary programs as follows: library resource, 9. Do you think that doesn't affect the classroom? Special ed, the kids who need the help the most, 27 boards have reduced their programs. Guidance, 4; music, 8; phys ed, 3. It goes on and on.

Other programs, such as consultants and coordinators: Those don't happen right in the classroom. At the same time they do have to make sure that teachers are doing their job.

Educational support personnel, 6 boards; noonhour supervisors, 18; teacher educational assistants, 15. It goes on and on.

The argument that classrooms are not being affected by the \$400 million cut with \$600 million more to come — I mean, there's more to come than has been implemented already, so you can imagine.

At some point you're going to have to, as a government, back down from that commitment that health care

spending will be maintained and educational spending will be maintained as it impacts on the classroom. I can understand you wanting to consolidate and bring some rationalization to the hospitals. I agree with that, and I've said so publicly in my own community. That doesn't mean, however, that when you rationalize and consolidate hospitals you don't have an obligation to put those savings back into the community. Since you're not going to be reducing health care anyway, when you save money in a community why can't you then put it back into that community in the form of community-based home care and also the new capital dollars that are required?

There was a commitment made by the minister last week, as a result of the opposition in Thunder Bay he was running into, that the province will pay 70% of the hospital capital spending required because of the Health Services Restructuring Commission reports and the local will pay 30%. So they are doing that, putting money back on the capital side.

Mr Conway: Floyd, you know the game is taking the money out of Sudbury and Sault Ste Marie and putting it into Newmarket.

Mr Laughren: If they're taking it out of Sudbury and they're taking it out of Pembroke, where are they putting it? It's either going to help pay for their tax cut or, if it's staying in the health care system, which the minister keeps saying, where is it going? It's not going to other places in northern Ontario. It's not going to other places in eastern Ontario. Wait till they get to Ottawa. I can hardly wait till the commission reports in Ottawa, followed by Toronto of course.

The money is not staying in the local community, it's coming down to southern Ontario. If you want to further alienate the feeling of geographical disparities in this province, just keep it up, because there's no understanding or belief in the part of the province I come from that you're doing this fairly. I think you're being treated fairly by the local folks. In my own community, they are being very fair about the need to rationalize the hospital system. Nobody's being particularly foolish about that. There are some of course, but you have done nothing to allay their fears about those savings.

It's about \$40 million a year in savings in the system in Sudbury by closing two hospitals. The total amount of new capital required is about \$80 million. So in two years you've paid for that. What happens to the \$40 million a year after that in savings? There has been absolutely no commitment to labour adjustment programs. How in the world do you expect to sell this to anybody? The people who work in the system, the people who live with the system, the patients, the people who for years have paid for it at the local level, how do you expect support from them when you refuse to reinvestment the savings in a local community?

What really has people scratching their heads in bewilderment is that you say you're not going to reduce health care spending. If you're not going to reduce health care spending but you're going to effect all these savings at the local level, where do those savings go? They're not supposed to go out of the health care system. They're staying in the health care system, to give you the benefit of the doubt, so where are they going? Well, it doesn't appear to be at the local level.

If I could go back and begin to conclude my remarks, there are a number of things that are bothering the opposition. One is the way in which you are circumventing the rules. It's very transparent what's going on, and the opposition resents that very much. There's no reason you couldn't extend the sitting, if you want to go beyond December 19 into January, and deal with the backlog that now exists, legislation that's already been introduced. There would be no objections from the opposition. We'll agree to do that. We already have. The government House leader knows that's the case.

If you want to proceed with those other pieces of legislation which we haven't even seen yet — the educational reconfigurations, the municipal amalgamations — if you want to proceed with those and anything else, then why are you panicking? What is the incredible rush to do this? It's not because we don't want to sit in January and February. That's fine. We have no objections to that whatsoever. But why don't you say, "Let's tidy up the legislation that's there now," and then move on in the spring — as soon as you want in the spring — to the new legislation?

Mr Conway: You sound like you want to put the revolution in a supermarket cart.

Mr Laughren: Well, I want to tell you, what they are trying to do is much too transparent for my liking. I'd have much more respect for you if I thought there was a game plan here other than simply trying to rush it all through in the first half of your mandate, and secondly, to get those savings to help pay for the tax cut as quickly as possible, because you know and I know that the wheels can fall off your fiscal plan very, very quickly.

I was embarrassed for your Minister of Finance a couple of weeks ago when he was to announce where the next \$3 billion in cuts was to come from. He already said he was going to do it. Then suddenly he said he didn't want to go to the finance and economic affairs committee of this House, didn't want to make an appearance there. The next day suddenly he's told: "We haven't got it for you, Minister. We can't give you the numbers." Then he had to go to the finance committee. It was an embarrassment. I felt sorry for him sitting there absorbing this scorn from the members of the opposition and the media. I can tell you, in a funny kind of way, I know how he felt, having been through not exactly the same situation but ones not too dissimilar.

At the same time, that's of your making. You created this. You made this bed and I now I hope you're all comfortable lying in it, because it never was as simple as you thought it was going to be. But the arrogance of the simplicity — I couldn't believe how arrogant the Tories were when they were over here and saying, "Just do it." They kept telling us, "You're so incompetent." "You're so incompetent," they kept saying. Well, I would like to play back some of those reels today as I see the wheels on the Tory machine starting to wobble. Admittedly it's really the first time since they were elected a year and a half ago that it's starting to look like it could fall apart.

2140

Mr Gilles Bisson (Cochrane South): Well, Bill 26 was pretty good.

Mr Laughren: Bill 26 was interesting.

Mr Conway: Everybody gets a free year.

Mr Laughren: Everybody gets a free year. Now suddenly what seemed so simple is not so simple. Quite frankly, if you hadn't been so arrogant about how simple you thought it was and how stupid and incompetent we all were in government, I might have some sympathy for you, but I have absolutely none because you've asked for it. You thought it was easy to do. All right, if it's so easy to do, why are you not doing it? It must be nice to be a Tory and go back home to your constituency weekend after weekend. And guess what, folks? It's going to get even more interesting.

Mr Bert Johnson (Perth): I feel I should wear my Tory blue tie tonight. I'm quite proud to represent our party, discussing the motion tonight and the amendment.

I would like to start off by saying something that neither the "Old Democratic Party" nor the "New Liberal Party" have nerve enough to say, and that is, whether they are for it or against it. We hear them flopping from one side to the other. We hear them saying they don't mind coming back on January 13 but they're going to be against the motion we have prepared that will bring us back then. They say: "We would like to sit here all next week but we'll vote against the motion that says we will sit here. So we can say one thing and we can do another."

I came here to Toronto a year and a half ago because I had something I wanted to do: I wanted to lower taxes, I wanted less government spending, I wanted to remove barriers to growth, I wanted to do better for less and I wanted a balanced budget.

Mr Wildman: On a point of order, Mr Speaker: Perhaps the member for Perth could indicate how his comments relate to the amendment.

The Speaker: To the member for Algoma: I've been in the chair during this debate and I think that could have been applied to all the speakers regarding this particular motion. I will say that if we're now going to start applying this particular motion to individual members, it would seem patently unfair. I would ask the member for Perth to continue.

Mr Bert Johnson: Thank you, Mr Speaker. Above all, I want to be fair. I want to be reasonable. I want the people out there to know just how fair and reasonable I am.

The Speaker: Well, I will find out. Just go with the member for Algoma.

Mr Wildman: On a point of order, Mr Speaker: I was just bringing the member to the amendment because when he was presiding he felt that I should be brought to the amendment.

The Speaker: That's not a point of order, but that's a point of interest.

Mr Bert Johnson: That is interesting. There are a lot of interesting things being said here tonight and I guess one of the biggest would be that if we believed what we heard across the aisle from the Old Democratic Party and the New Liberal Party, we would believe we had an agreement. Mind you, through the years we've had quite a few agreements, but in the last year and a half we've had a lot of agreements that have been broken.

The people on that side of the House would like us to fail. They would like us to break our agreement. They would like us to break our trust with the people of Ontario. Why? Because at some point, yes, there will be another election, and what better thing for me to campaign on than the five things we've said we will do and for us to fail, and what better thing for the Old Democratic Party and the New Liberal Party to campaign on than "The government can't do what it said it was going to do." Well, surprise, surprise, we're going to do it. We're going to do it not because of you; we're going to do it in spite of you.

Mr Wildman: Boy, this is profound.

Mr Bert Johnson: Yes, it is, and it could have been said before. But if you want to be profound, tell me about integrity in government, tell me about the Jim Wilsons, tell me about the other people in government and how they took the honourable approach to the difficulty that they saw in front of them, and tell me how the previous two governments handled those sensitive situations. Tell me how now we're being told that we should look forward to small business creating jobs and creating economic activity that will benefit everybody in the province. Tell me how in the last five years the Old Democratic Party paid off the Buzz Hargroves, the Gord Wilsons and paid up their dues on that. Then what did they do? They laughed in their face and said, "We can even throw it in the social contract."

I was down listening very carefully, attentively, to the former Treasurer of this province telling us how he was going to balance the budget one year sooner than we were.

Mr Laughren: It's true.

Mr Bert Johnson: Yes, but if you were going to do that, why didn't you do it in the five years that you had from 1990 to 1995, and why didn't you start that process when you and the New Liberal Party governed the province from 1985 to 1987?

I do appreciate some of the speakers from across the way. I do appreciate the lessons in history that I get from a renowned member of this Legislature like the member for Renfrew North and his buddy the House leader from the official opposition the member for St Catharines. They are quality speakers. They can get up and speak an hour and a half, if that's the time limit, or they can get up and do the 30 minutes, and they can do it exactly 29 minutes and 59 seconds, and they can fill that in and I enjoy it. I enjoy it because I learn something about history from them.

Unfortunately, those lessons about history aren't what we need in this province. We have to look forward. We have to look forward to things that are better. We want to look forward to job creation. We want to look forward to economic activity. We want something that is secure and prosperous for our children.

We are talking about the motion and the amendment to it because we are in the financial difficulty that we are today. It is passing amusing to hear the experienced members from across the way talk about services in Brunner and Fullarton and places like that. The Willows and the people who live in those communities would be very interested to know why at this late date, after 10

years in the wilderness, now all of a sudden we're interested in the very important communities in my riding; why, for instance, after borrowing, taxing and spending for the last 10 years, all of a sudden we get interested in saying: "Oh, yes, we could have balanced the books. Just give us another four years."

Mr Wildman: Why are you borrowing \$12 billion for a tax cut?

Mr Bert Johnson: Oh, yes, we can borrow money for the tax cut, but then are we borrowing it for education, are we borrowing it for health or are we borrowing it for the tax cut? Tell me about the borrowed money on the tax cut. Tell me about the \$10 billion that you borrowed last year and the year before and every year before that. For five years, \$10 billion, and you want us over here not to take a look at the future and something better that we are supposed to do.

Mr Laughren: On a point of order, Mr Speaker: It was actually \$12 billion one year.

The Speaker: That's not a point of order.

Mr Bert Johnson: To the former Treasurer of this province, a person I have a great deal of respect for, not only for what he says but how he says it, I don't have a lot of respect for people who do one thing and say another. I realize that he is embarrassed by his former leadership and his former party. I'm sure that he tried his best to balance the books and tried to do a good job but he was overruled in cabinet. He was told to toe the party line, and he wasn't allowed to use the good judgement that I have seen him use sometimes.

2150

We're discussing a motion before us tonight and amendments to it. I am definitely in favour of the motion and against the amendments. The reason why I'm in favour of this motion is because I was sent to Toronto to try to improve things for the people in Perth. One of the problems is that we do things a little bit backwards. The people of Perth know that, but there are a lot of people down here in this Legislature, particularly across the way, who don't.

For instance, I was asked over the weekend why, if this Legislature feels it's so important to meet an extra six hours, we would extend that at the end of the day; why we would take the sitting day, from 1:30 to 6, and then extend it from 6 till 12; why the heck wouldn't we do it like the good people in Perth do? If they had more work to do, they'd get up and do it in the morning. My suggestion from the people in my riding is, why don't we get up and start at 7:30 in the morning?

Applause.

Mr Bert Johnson: I hear clapping from both the people in the opposition over there that they think that would be a good idea.

Mr Bisson: On a point of order, Mr Speaker: I do believe the member moved a motion, which I would be supportive of.

The Speaker: I don't think he moved a motion.

Interjections.

The Speaker: Order. In the vernacular of the member for Perth, it wasn't a motion. Please, would you give the member for Perth some opportunity to finish his comments. It would be very helpful.

Mr Bert Johnson: There are some other good ideas that we have in Perth, and I want to tell you about a few of them because we've been doing a whole lot of studying in this province. We've been studying the greater Toronto area by Golden. We've got the greater Toronto area task force. We've got the Ontario School Board Reduction Task Force final report. We've got the Macdonald report. We've got reports, but one of the reports we don't see so much about is this report, the report that shows the — because I don't want to make a demonstration; I don't want to show —

The Speaker: Member for Perth, that's right, that's a prop.

Mr Bert Johnson: I wouldn't want to take advantage of my position.

The Speaker: Well, then put it away. Thank you very much.

Mr Bert Johnson: Mr Speaker, you're entirely right to draw me to order and ask me to do that. I want to say, without equivocation or mental reservation of any kind, that I'm sorry I got emotional and showed that, because there are members across the way, both of them, both the ones in the New Liberal Party and the Old Democratic Party, who forget that there was an election last June, a year ago. I think they have every right to suggest —

Mr Bradley: Mr Speaker, a very brief point of order for my friend from Perth, and the point of order is this: I'd just like to ask him if he has the permission of the Ontario Secondary School Teachers' Federation to use that map in this Legislature.

The Speaker: Order. Not a point of order.

Mr Bert Johnson: Mr Speaker, this is not question period, and I'd be all too pleased to answer the inquiries. I'm sure the member for St Catharines has other things on his mind, and I wouldn't mind answering any of them at any time, but in actual fact, if I don't have their permission, then I'm truly sorry and I apologize. Without evasion, equivocation, mental reservation of any kind, I apologize. I did pay for it, and I think that gives me some right. I think that gives me some right to borrow it.

But I do have a little bit of criticism, I guess, for those who want us to do nothing and they want us to fail. They don't want hardworking people of Ontario to keep some of their own tax money. They would like to call us simple and stupid. If letting people keep some of their tax money in this province is simple and stupid, then I guess I'd like to be part of that crowd, because two years ago, we were told that there was no such thing as common sense. We reinvented the term. We went into the election and the people of Ontario told us, "Things have been so bad that we would like to think things are better, and we're willing to take a chance."

I'm here to tell you and both the people over there in the opposition that I'm here to do the best job I can. Part of that job is getting up and speaking my mind, and I don't apologize to anyone for sticking up here in this Legislature for the fine people who live in the county of Perth, those same people who live in Brunner, those same people who live in Fullarton and Gowanstown.

Mr Len Wood (Cochrane North): Don't go to Listowel tonight.

Mr Bert Johnson: I'll go back to Listowel tonight and I'll go back to Listowel any other time. There are a lot of fine people in Listowel, and anybody who would sit across in the opposition and try to denigrate the people of the town of Listowel shouldn't be here.

Mr Len Wood: They don't like you and they don't like Mike Harris.

Mr Bert Johnson: If they don't like me —

The Speaker: Order. Member for Perth, just a moment please. Member for Cochrane North, I appreciate obviously this speech is causing you some concern.

Mr Len Wood: He's my friend. All my family's in Listowel.

The Speaker: I appreciate that he's your friend, and if he's your friend, maybe we can just treat him with a little bit more decorum.

Mr Bert Johnson: Mr Speaker, I'm just about done. I want to tell both those people in the New Liberal Party and the Old Democratic Party that yes, I think the people of Perth deserve the very best. I'm working towards it and I'm practising, and I think I'm better this year than I was last year, and I think I'll be better next year. I want to make sure that I send the message to the people of Perth and to the people sitting across the way that I'm here to do the absolute best job that I can, in spite of those people across the way who would like to see us fall down, bloody our nose and fail, because the people of Ontario and the people of Perth deserve that from us.

Thank you, Mr Speaker. I've enjoyed the attention that I should have been given across the way.

The Speaker: Further debate?

Mr Gerretsen: It's always a joy to listen to the member for Perth because he speaks with such passion about the things that he believes in, especially at this time of the night. He speaks with an extra passion that we can all understand and relate to. Unfortunately, he's wrong about a number of issues.

The first issue that I want to address tonight is the fact that we're dealing here with a motion that basically —

Mr Bert Johnson: On a point of order: Mr Speaker, I thought this was debate, and I didn't know there were responses to my speech.

The Speaker: There's not. It's debate.

Mr Bert Johnson: I'm sorry. I really thought the member for Kingston and the Islands —

The Speaker: Member for Perth, will all due respect, I appreciate —

Mr Len Wood: Come on, Speaker. Watch out when St Mary's people get a hold of you, Bert. They're going to string you up on a rope over that hospital —

The Speaker: The member for Cochrane North, please come to order.

Mr Len Wood: Well, they're mad about the hospital.

The Speaker: Member for Cochrane North, I don't want a discussion.

Mr Len Wood: He won't defend the hospital Mike Harris wants to shut down.

Mr Wildman: Mr Speaker, on a point of order: I'm sure all members would agree to give unanimous consent to allow the member for Perth to speak twice in this debate if he wishes to continue in debate.

The Speaker: The member for Algoma is seeking unanimous consent to allow the member for Perth to speak again.

Interjections.

2200

The Speaker: No. Member for Perth, it doesn't matter. I heard a no.

Mr Gerretsen: I've certainly learned my lesson to never congratulate the member for Perth on a speech again, because obviously it was not appreciated in the vein that it was given. I'm sorry, but I will never congratulate you again. Actually, that was one of the best speeches you've ever given in this House, and I take it all back. I will not say another nice thing about you.

But this motion deals with whether new sittings in effect should start on January 13 or whether the sittings that are currently going on should be extended. It seems to me only logical, as a new member, that since we have so many bills that have been presented in this House over the last three to four months, we extend the sitting and simply deal with all the matters that have been brought forward by the government so far, rather than starting brand-new sittings of the Legislature. That's what this motion is really all about, but it has given us an opportunity to talk about some of the other issues that are the underlying issues of what this government is all about.

I heard the member for Nickel Belt speak earlier about the difference between this Conservative government and a Conservative government of Bill Davis back in the late 1970s and early 1980s. Let me just at the outset say that I dealt with that government. As the mayor of my city at the time, I had an opportunity to deal with them on a number of different issues over a number of different years, and the major difference between that government and the current government dealt mainly with the attitude in which they approached issues. If there's one thing that the Conservatives that were in power for over 40 years had back in the 1970s and early 1980s, it was the fact that they were not arrogant. They were totally different from this Conservative government.

Today we're dealing with a Conservative government that is basically ideologically bound and driven. They basically believe that they have an agenda to follow, and regardless of whether it makes any sense, regardless of whether they have to roll over the opposition from time to time, as we saw with Bill 26, as we've seen with a number of other bills over the last year or so, it's an arrogant attitude that they're bringing to the whole process.

I think the resignation of the Minister of Health yesterday was a perfect example. It was a perfect example because basically what we're talking about is the integrity of the government, and from the questions and answers that have been given over the last two days, I still don't think the government gets what the real issue is here. The real issue, even though it's important, is not so much what actually happened in that particular case or incident; the real issue is how the people of Ontario feel that information that they've given to government in various ways — and in this particular situation we're talking about health information, about their own health — is being handled by the government and by

those people who work for the government. That's the real issue and that's the real concern of the people of Ontario.

I think that the uncertainty or the lack of acknowledgement by, yesterday, the Deputy Premier and, today, the Premier of setting up an all-party commission to look into that matter shows, to my way of thinking, the lack of concern that the government has about this. We've heard for two days now the notion that the Information and Privacy Commissioner can look into this matter, and I've taken some time today to see exactly, according to the Freedom of Information and Protection of Privacy Act, the powers that the commissioner has to deal with those kinds of situations.

As I indicated earlier today, the powers and duties of the commissioner are set out in one particular section, which states that the commissioner has the right and the obligation and he may offer comment on the privacy protection implications of proposed legislation and schemes and proposed programs that come before the House. He can also order certain institutions or the heads of those institutions to cease the collection practices of certain information that may have been gathered by that particular agency. He may also authorize the collection of personal information otherwise than directly from the individual; in other words, he can authorize it to be gathered from other people and organizations. He can do some research to make sure the purposes of the act are carried out. He also has the right to conduct public education programs and information sessions to make the public aware of the freedom of information and protection of privacy matters contained in the act. And he can receive representations and consultations from the public.

But nowhere in the act does it actually say that the privacy commissioner has the right to investigate a particular matter such as, in this particular case, whether or not the comment by Mr Brett James was actually made or, more to the point, how he got the information. We had the Premier tell us today that it is his information that the minister never had that information. Then the question is, how did this individual who worked for the minister get that information?

That's the real concern that people in Ontario have. There are certain bits of information that the government has, in this particular case health information, that people regard as sacred, that people simply do not want to have divulged to other individuals. The real question here is, how did this individual, who according to the information that we got here today did not have the consent of the Minister of Health or the Deputy Minister of Health, get that information? That's the issue. I think only an all-encompassing commission, an all-encompassing bipartisan body, a bipartisan inquiry, an all-parliamentary committee can in effect investigate that.

There's the other issue as well, and that is that although the commissioner does have the right to call certain witnesses to come before him or her, he doesn't have any authority to compel those people to actually give evidence. He also doesn't have any authority to in effect subpoena evidence. I think that is a shortcoming if the individual is to do his proper job. It's not so much this particular case, what happened in it; it's more of a

situation as to whether or not the people of Ontario can have any confidence and trust in a system in which they are basically sharing their medical information, through their doctors, with the government.

I suppose that nowadays, particularly with the great emphasis on computerization etc, there is a greater fear among people at all times: Is it possible for somebody in the Ministry of Health, or indeed in any ministry, to simply push a button and get information out of people, and what kind of use is being made of the information that is available? That is really sort of the syndrome of 1984 revisited some 12 years later.

That's the real issue. It shows, to my way of thinking, an arrogance by the government not to allow that kind of process to take place. It would seem to me that the best way for the government to deal with a situation like that is to formulate an all-party committee — we're all equally elected here; we're all equally elected in our own particular ridings and our own particular constituencies — so that we can look into these matters.

The second issue I want to deal with and which again deals with this whole notion of arrogance or the whole notion of how we now seem to be doing things in Ontario is restructuring. I know that one of the reasons we're being called back in the middle of January is to deal with the whole future of Toronto — the greater Toronto area, Metro Toronto — and whether there will be one megacity or whether there will be a number of different cities in this area.

This brings to mind the restructuring that's taken place in my own particular riding. I've raised this matter in the House on a number of occasions, but I would like to give a little bit of a dissertation as to what really happened in this case so that the people out there and you, Mr Speaker, can have a better idea as to how the restructuring in Lennox and Addington and Frontenac county and the city of Kingston was handled.

2210

Back in early May there was a meeting held at the county courthouse in Napanee. It was attended by over 200 municipal politicians from both counties and from the city of Kingston, together with the three MPPs — myself, Mr Fox and Mr Vankoughnet — together with the minister. At that time, the Minister of Municipal Affairs and Housing indicated that he wanted these two counties and the city to restructure. He felt basically that there were too many forms of local government in the two counties, which I think number something like 40, and he wanted something done whereby in effect they were made into more manageable units and better administrative units. He indicated at that time that he only wanted one restructuring plan brought forward by both counties and the city of Kingston.

The gentleman who was appointed to assist in that was Mr Gardner Church, who is a very well known individual and certainly a very qualified individual to look into these matters.

Mr Conway: Very well known.

Mr Gerretsen: Very well known. I first had the opportunity to meet him some 15 years ago when there was some discussion as to whether or not the city of Kingston should amalgamate a number of townships

around it at that point in time. In any event, he started the process, and within about two weeks after that, the county of Lennox and Addington decided to walk away from the process. They basically said: "We no longer want to be part of this process. We're going to conduct our own study." They did come up with a plan, one which basically eliminated or reduced the 20 different townships and the town of Napanee into about four or five townships. The same process took place under the direction of Mr Gardner Church for the city of Kingston and the county of Frontenac.

Mr Laughren: There's that name again.

Mr Gerretsen: Yes, there's that name again. In any event, both counties came up with a restructuring plan, each one of them independently arrived at. The county of Frontenac and city of Kingston plan included the proviso that it ask the minister to set up a commission to determine the western boundary of the new urban area of the city of Kingston. It was intended to take in Ernestown township as well, since that's a fairly urbanized area, particularly around the area of Amherstview.

That was brought forward. It's interesting that the minister, at his annual speech at the Association of Municipalities of Ontario held in late August of this year, pointed to the Kingston area and the county of Frontenac and the county of Lennox and Addington as a model of how restructuring could take place. He'd forgotten one thing, and that one thing was this: He had said he wanted one plan for that whole area, and in effect two plans were brought forward.

It was interesting that after he lauded the plan in front of the 1,500 or so delegates who attended the AMO conference, he then had a meeting with the city of Kingston delegation and the county of Frontenac delegation that I had an opportunity to be part of as well. A meeting that was supposed to last 15 minutes lasted about two hours because the county of Frontenac people made no bones about the fact that they wanted the minister to set up a restructuring commission to deal with the western boundary. They felt that if he were going to endorse the Lennox and Addington plan and the county of Frontenac plan separately, in effect he would reward the Lennox and Addington people for walking away from the table some two or three months earlier.

Rather than taking the honourable way out — and here's where we get back to this question of trust: Do you trust in what your minister says to you? The minister at one time had stated that he only wanted one plan. A group of people walk away, do their own plan etc. Now we get back to the question of trust. The minister basically said, "I'm sorry, but I am going to endorse both plans."

You can well imagine the feelings particularly of the township of Kingston and the township of Pittsburgh people, who had reluctantly joined the restructuring process as it relates to the city of Kingston. They felt totally betrayed. There were a number of editorials about that, and I've raised this in the House earlier. They felt the minister had not lived up to his word. He had said he wanted one plan. People walked away from the table, and all of a sudden the people who stayed at the table got what they thought was the raw end of the deal.

To make a long story short, the minister did indicate at that point of time, and I was at that meeting as well, that yes, he would set up a restructuring commission to deal with the western boundary and that it would look at the Amherstview or Ernestown area. Later on, as we all heard about a month or so ago, he decided not to go ahead with that. The net result of it is that there's a whole group of politicians in the Kingston area, particularly those people from the two townships, who went into this process on the understanding that they had to cooperate because the minister only wanted one plan and who now feel that if they had walked away from the table, they would be a heck of a lot better off than they were before.

It's very interesting that right on this day, today, the headline in our local paper, the Kingston Whig-Standard, is that Pittsburgh votes for a referendum. They no longer want part of the amalgamation deal. They no longer want part of the restructuring plan. As a matter of fact, the reeve and the deputy reeve — let me get this right. No, I stand corrected on that. They no longer want part of it; they want to send this whole plan to a referendum, which is to be held, according to the newspaper article, some time in April of this year.

What I'm saying with all this is that if a government wants to have the trust of the people — whether we're talking about local politicians or whether we're talking about the people in the health care system or whether we're talking about people as to how they're going to deal with our health care records etc, people want to be able to rely on it. Once that trust and confidence is gone, people really don't know what to think. They lose their confidence and trust in the system. As we all know, once that is lost, once people have lost trust and confidence in the political system, it's going to take an awfully long time to bring that back.

I'm just using that as an example because here was a situation that was hailed in front of about 1,500 people less than three or four months ago as being the miracle solution to municipal restructuring. As it turned out, it is not that at all, because basically they feel the minister reneged on his word to set up a commission to deal with the urban situation in the Kingston area.

The other thing I have really been amazed at, and it's been mentioned a number of times, deals with the whole attitude of the government towards the issue of fiscal responsibility. I think "Conservative" to most people out there means we're talking about a fiscally responsible group of people, people who don't want to waste taxpayers' money, people who are going to be a little bit tougher maybe than the other parties around. Certainly when they say something, they mean it.

It's always been my belief that the whole issue of a tax cut — or, the way I like to refer to it, the tax scheme — just doesn't make any sense at all. Here we have a party that during the election campaign and well before that and ever since then has been campaigning on the notion that they are fiscally responsible. They are the people who are going to do something about the horrible debt situation we have in this province and they're going to completely rid us of the horrible mess that the NDP left us in when they basically had a deficit of \$10 billion per year for five years.

Let's be perfectly frank and honest: Those days, the early 1990s, weren't the best of economic times. I think any government that had been in power in those days would have had some really difficult times. To completely blame the past government for its economic woes etc certainly, to my way of thinking, is not totally correct, because they were tougher times. For a government that talks about fiscal responsibility to in effect allow the public debt of this province to increase by a further \$20 billion over the next four to five years, which just happens to equate to the amount of the tax cut or the tax scheme that they're giving to the well-to-do in this province over that period of time, to my way of thinking and to a lot of people I've spoken to over the last year and a half or two years, is completely and totally irresponsible.

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If they had not introduced a tax cut, quite frankly, I think it would be very difficult for the opposition to take issue with an awful lot of the cuts that are happening. I think we may individually not like certain cuts and we may have thought that in certain areas it was foolhardy to actually implement those cuts. I always think the best example of that is the halfway houses. I think that came through about a year and a half ago or a year and two months ago.

Anybody who knows anything about criminal law and rehabilitation realizes that people who have spent any time in a criminal institution, if you want to have a greater degree of surety that those people are not going to commit a crime again, you've got to give them some skills, and the way you give them some life skills, some learning skills, is usually in a halfway house setting so that they can be reintegrated into society. It's in society, after all, that they failed the first time or they wouldn't be incarcerated in the first place.

We also know that to keep a person in a halfway house is less than half the cost of keeping a person in a penal institution. I still recall sitting here in total amazement about a year and two months ago when in effect they cut out all the halfway houses, closed them all down and basically said if you get sentenced to a provincial institution, you spend X number of months or up to two years there and then you're just let out on the street and hopefully you don't do it again etc. I haven't seen any statistics, but I can almost assure you, from all the statistics I've ever seen from other jurisdictions over the last 25 years, if you do not give people some sort of retraining, some sort of rehab, their likelihood of committing crimes again is a lot higher than if you do give them some rehab.

So that cut didn't make any sense from a financial viewpoint, because in effect it costs more money to keep people in jail than to put them in a halfway house, and it didn't make any sense from a social viewpoint either, because presumably people are going to be involved in a lot more recidivism as a result of them not having any kind of rehab to start off with. That's the one that always sort of sticks out in my mind as making no sense at all.

The other one, quite frankly, that didn't make any sense at all was the 20% cut in the social welfare payments. It always used to amaze me that a lot of the

corner store operators right after that cut was implemented would stop me on the street and say, "Look, business isn't as good as it used to be," because a lot of the people in neighbourhoods where there was a large incidence of welfare simply weren't spending as much.

The ones that really used to get me were the small landlords, many of whom before the election used to tell me, "You know, John, you've got it all wrong. You're with the wrong party," you're this, that or the other thing. "We've got to get tough with the people on welfare," and this, that and the other thing. They were the same people, some three or four months later, after the welfare cut was actually implemented, who used to stop me on the street and say: "My gosh, you know the people on welfare? They're not paying their rent any more. You've got to help me. You've got to do something about it." I used to tell them, "If you couldn't figure out that if somebody gets \$900 instead of \$1,100 per month and if they were spending \$600 on rent etc, when push comes to shove, they're going to spend it on food and on clothing for their children rather than on rent, then you're pretty shortsighted."

Of course, it's that kind of thing, because those 20% dollars that were being expended in the social welfare system were dollars that were going right back into the community in services and in payments to small merchants etc. Those dollars stayed right there. Of course, once those payments were no longer made to the people on welfare, quite frankly, those dollars were removed from that community, and as a result, the whole community suffered, including the merchants etc.

The other issue, in just winding up and in dealing with this motion, deals with this whole issue of the economic statement that the Deputy Premier was going to present to us some two or three weeks ago. The scenario that led up to that I think was very, very interesting. First, we were told there was going to be a full economic statement, and then we heard rumblings that the government was having trouble in finding additional cuts as to where it was going to find another \$3 billion. Then it was downgraded to an economic statement and then finally, I guess, a statement was made to one of the committees, it may have been the finance committee, I'm not quite sure, by the Deputy Premier.

I guess the irony of that is that here most people believe that they have elected a government that is fiscally responsible. That's what they think, or that's what they thought when they elected them. Now all of a sudden it turns out that within a year and a half of being elected they can't make their books balance, but they still want to adhere to this ridiculous notion of a tax cut, a tax cut, as we all know, that's only going to benefit people who make \$100,000 or more. What is it? — \$4.5 billion of the \$5-billion tax cut is going to go to people who make \$100,000 or more. Yet somehow they have the people of Ontario believing —

Hon Al Palladini (Minister of Transportation): You don't benefit, eh, John?

Mr Gerretsen: I'm glad to see the Minister of Transportation here. By the way, we'd like to thank you for all the work that you've done on the highways this year, because I will admit the Tories are right back to where

they were when they were in power for those 40 years. They always knew that if you just keep paving roads, people will keep voting for you. That minister over there has got that one all figured out. It's true it is only one minor issue, and he's going to run out of money sooner or later, I'm sure. But in any event, they can't find the \$3 billion. Well, I can tell you where to find it.

Mr Bradley: The tax cut.

Mr Gerretsen: The tax cut. Our House leader is always correct. Forget about the tax cut. If you didn't have this idiotic tax cut, then in effect, about half of the cutting and slashing you're doing in a lot of programs that are hurting an awful lot of people out there, then we wouldn't be in the mess that we're in.

I'm almost convinced in my own mind that the government, and I would say wrongly, has decided to cut off the bottom third of the people in the economic scale. They decided these people are not going to support us any more, so let's just forget about them. It's very sad because I think that traditionally we have a system here in Ontario, where once a government is elected, it tries to represent all the people and it tries to in its laws make sure that it's equitable to everyone.

I would urge the government members who are present here, and we can see they're slowly filtering back into the House, to vote against this motion and do the right thing and do the honourable thing, and that is to extend the sittings and not hold new sittings.

The Deputy Speaker: Further debate? The member for Cochrane South.

Mr Bisson: Thank you very much, Mr Speaker.

Applause.

Mr Bisson: Thank you very much, member for Cochrane North.

I want to take this opportunity in the 30 minutes that I have to try to, as succinctly as I can, put forward to the House and put forward especially to the House leader of the government side what is really going on here and what this debate is all about.

The government has come before this House and has tabled a motion that we are now debating. This particular motion deals with, and I will read, "That, notwithstanding standing order 6(a), the House shall continue to meet commencing Monday, December 16, 1996, until Thursday, December 19, 1996, and that when the House adjourns on Thursday, December 19, 1996, it stand adjourned until Monday, January 13, 1997, which date commences the spring sessional period."

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I want to put out there for those people who are watching that the New Democratic caucus and the Liberal caucus are not opposed to the government calling the House back for a week after this week. We should have finished on Thursday, but the House is being asked to come back next week. We are not opposed, as an NDP caucus or the Liberal opposition caucus, to coming back and sitting, for that matter, until next year, and after January. That's not what's at debate over here.

Mr Len Wood: Jim Wilson and Mike Harris attacking the doctors of this province.

Mr Bisson: Thank you, Len. What is not at debate here is the idea of us coming back to the House in order

to debate bills. What we do object to is that the government, by this motion, is trying to circumvent the rules of the House.

The rules of the House are quite clear: The government can only debate in the last two sessional weeks before the end of the sitting the business it has before the House at that time. What the government is trying to do here by way of this motion is to slip into the House — and I use the word "slip" for exactly what it is — a number of bills that are going to deal with very far-sweeping powers that the ministers are going to give themselves to be able to restructure the province of Ontario to their image. We say as an opposition party, as the New Democratic Party of Ontario, we don't want the government to do it in the way that it's going forward.

First of all, we don't agree with the direction they're going. We don't believe the government should have the right to unilaterally change what the city of Metropolitan Toronto should look like. We believe the people within that community should have their say. We don't believe the government should unilaterally move on how school board funding will happen and restructure school boards without any kind of local input. We believe the people affected should have their say. What the government is trying to do by way of this motion is take away the say of the people of Ontario.

We have presently before us — and I just took a look at Orders and Notices — a number of bills at second and third reading. The government is trying to make us believe they need to have this extra time so they're able to deal with the bills they have before the House now. I would say to the government, if that's all you want to do, if you want to deal with those bills that are presently in Orders and Notices, deal with bills at second and third reading, I'm more than prepared to sit here now. I'm more than prepared to sit here next week. I'm prepared to sit here through Christmas. I'm prepared to sit here until next spring. I haven't got a problem with that.

The government has bills before the House. Those bills have been legally brought to the House according to the standing orders, have been tabled and have been put before us for debate as per the rules and as per the spirit of the rules, as they're allowed to under the standing orders of the Legislature. I haven't got a problem with that. I'm prepared to debate Bill 52, Bill 57, Bill 61, Bill 63, and the list goes on. But I'm not prepared to allow the government to slip a number of bills into all of these that are going to deal with restructuring the municipalities of this province without having the people have their say. That's what the issue is here.

I would also say that the ruling we had earlier from the Speaker, Mr Stockwell, is quite interesting, and I understand what he's saying. Technically, I guess he's right, but when the points of order were raised by the House leader of the third party, Mr Wildman, and Mr Bradley, the House leader of the official opposition, the Speaker came back and said in effect, "The House can decide for itself when it's going to break the rules." That's what the Speaker came back and said. He said, "As long as the House agrees, they can do whatever they want." No matter what the standing orders are in this Legislature about how this House operates, if the government, which has a

majority, comes to this House with a motion and says, for example: "We're not going to have question period any more. We're not going to have petitions any more —"

Mrs Sandra Pupatello (Windsor-Sandwich): Don't give them any ideas.

Mr Bisson: Well, not give them any ideas. You're probably right.

The government would be able to come into this House, table a motion here before us, have the motion debated, which they would win because they have a majority, break the rules of the House, break the rules of the standing orders, do what the heck they want, and the opposition couldn't do anything about it.

That is why we are opposing what this government is doing under this motion. We say, yes, we agree that the Conservative government won an election in 1995. The Conservative government got a majority in the House and the Conservative government has the right to govern, but they have to rule and they have to govern according to the standing orders and according to the constitution that rules Ontario and this Legislature. What we are vehemently opposed to is that the government is trying to rule in such a way that disregards what the traditions of the House are and disregards in effect what the standing orders of this Legislature are. That's what we oppose. That's why we are saying to the government that is not acceptable.

I'm prepared, as I said before, to debate all of the various bills that are now in Orders and Notices — no problem. The government's going to say: "Well, we don't have enough business to keep us going for the amount of time that is spelled out in the motion that's been put before us now. If we were to try to debate the bills that are in Orders and Notices at second and third reading, we would run out of business and we would not have anything else to do until the spring sitting is supposed to start," at which point they could introduce, according to the standing orders, those draconian bills they want to bring before this House to tell the city of Toronto what it's going to look like six months from now or a year from now when they get this legislation through and the next municipal election happens.

But I say if you look closely at Orders and Notices and take a look at the number of bills they have at second and third reading, it would take anywhere between 46 to 60 sessional days just to deal with what's now presently within Orders and Notices. If you do the math on that, it works out that, in effect, you don't have enough weeks between now and next spring when the sessional sitting starts to be able to deal with everything that's in Orders and Notices, and these I believe are bills the government wants to pass.

I think the government wants to pass all its red tape bills. I would imagine that's why they introduced them. I would imagine the government wants to pass Bill 84, which I wish they didn't, the bill in regard to fire prevention services. I would imagine the government wants to pass Bill 92, an act to promote road safety. I would imagine they want to pass Bill 96, An Act to Consolidate and Revise the Law with respect to Residential Tenancies, where they're scrapping rent control. I imagine there are a lot of bills they'd like to debate.

All of these bills are major pieces of legislation. It's not like these bills are going to come into the House, there's going to be one day of debate and they're going to be gone. Can you imagine in the Legislature of Ontario the government of Ontario coming to this House and saying, "We're going to scrap rent control and you're going to have a one-day debate"? Just on that particular bill alone, there are going to be at least three days' debate at second reading and at least three days' debate at third reading, for six sessional days.

They want to bring a bill before us that's going to scrap the Workers' Compensation Board and change it into something that's good for employers and bad for injured workers. I would imagine again there's going to be at least three sessional days of debate at second reading and another three days of debate at third reading, the point being the government does not have enough sessional time as it is with the motion that's been brought before the House to deal with those bills that are presently in Orders and Notices.

Then the government has the gall to come into this House and say, "We have a motion to extend the sitting so we can bring new business into the House." My God, if the government is so incompetent that they're not able to deal with what they presently have in Orders and Notices, why are they bringing more legislation into the House? Wait until the spring. That's all they have to do.

What this motion is all about is circumventing the rules as they stand in the Legislature, as they treat how legislation is allowed to be brought into the House. I don't argue that the government has the right to govern. I don't argue that the government of the day will have its way. I understand that. That's not the point here. The point is that every government up to this point, under the leadership of Bob Rae, under the leadership of David Peterson, under the leadership of Bill Davis and every other Premier before, has ruled the Legislature according to the standing orders.

What this government is saying is much in keeping with what they did with Bill 26, where they tried to bring an omnibus bill into this House that changed over 50 laws in Ontario. They had the gall a year ago today — Mr Speaker, you would remember — to bring Bill 26 into this House and say, "We are going to slip this bill into the House" when all the opposition members were in a lockup over a mini-budget statement that was going on at the time. The government tried to slip into the House an omnibus bill, Bill 26, that in effect changed over 50 laws within Ontario. If it hadn't been for the opposition obstructing the House at this time last year, Bill 26 — although the government got a version of its Bill 26 passed — would have been passed in its entirety as it was printed back then. I tell you, if the government had got the bill as it was back then, there would have been parts in Bill 26 that would have been extremely dictatorial that the government would have had.

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For example, the Minister of Health would have had the right to go and get medical information about clients who are presently within the OHIP system and would have been able to keep that information in his office and use it as he or she saw fit. Those are the rules they were

trying to change under Bill 26. We know just recently what happened; surprise, surprise, exactly that happened. The government tried to make that law happen under Bill 26. Because the opposition obstructed the House last fall, we didn't give them the ability to take that kind of power.

We find out that the government, in effect, under the leadership of Mr Wilson in the Ministry of Health, not more than a week ago did exactly that. The minister had to have ordered, along with the deputy minister, his officials to get information from OHIP in regard to the billings of certain doctors in the province, got that information, brought it into his office and then was going to use that information in order to discredit doctors as part of a communications strategy to discredit the doctors of this province.

How does that relate to this? It relates directly back to what the government did last year. It tried, as they are now, to slip something into the House that gives it the ability to consolidate power on to themselves and on to the cabinet office. If it hadn't been for the obstruction of the opposition last fall, the NDP and the Liberal Party coming together and obstructing the House, the government would have slipped in Bill 26 and there would have been absolutely nothing that the public could have done about it. The public could not have seen what the government was about to do, and when it was done the public couldn't have said anything about it.

So, we obstructed the House. We said, "No, we're not going to allow the government to run roughshod over the entire Legislature as it sees fit." We have a responsibility, Her Majesty's loyal opposition, to make sure that the government is kept accountable, and that's exactly what we did.

Now a year later, on the very day a year later that the government tried to slip in Bill 26 and it took the members of this Legislature in the opposition a sit-in in the House until the very next morning to force the government to move off its agenda, we find them, on the anniversary of Bill 26, trying to do the same kind of thing. They have said, "We are going to pass a motion in this House that allows us to do what we want as a government, and we will circumvent the rules as they exist within the standing orders."

Again, for people who have just tuned in or for members who haven't had the opportunity because they were in and out of the House at the beginning when I started to speak, it's fairly clear what the government is doing. The government is saying there are certain pieces of legislation that it wishes to debate in the new year. The problem is that they can't bring that legislation into the House because of the way the standing orders work. The government, because of its incompetence, was not able to put together its legislation in time. They would have to have brought that legislation into the House about a week ago to have it on the orders and notices paper so that we could have debated it.

Because the government couldn't get its act together, because the Minister of Municipal Affairs and Housing and the Minister of Education and Training and others who are going to have huge bills come into this House in the winter session weren't able to get their stuff together,

they were not able to get their bills into the House or, quite frankly, they didn't want the bills coming into the House because they didn't want the public over the Christmas break to take a look at them, because they're pretty draconian pieces of legislation, let me tell you.

We're going to be giving the government of this province, after those bills are in the House and after they get third reading, the power to restructure entire communities without the communities having their say. We're going to give the Minister of Education and Training the right to restructure entire school board districts without the community having its say. We're going to give the Minister of Education and Training the right to reorganize education financing without the public having its say. These people have the gall to say they're here to represent the taxpayers of the province? Come on. I know you can't believe that the government is allowed to get away with this.

What they're trying to do here, simply, is to say: "Okay, we are going to hoodwink the public, we are going to hoodwink the Legislature and we are going to wait until the new session, or the extension of the session in January, and we will come in and we will introduce those bills when we're ready. We will drop them into the House like storm troopers, and then we will pass them through the House as quickly as we can so the public cannot have their say."

I say the government cannot do that. There are standing orders in this House and they are there for a reason. We have learned through an evolving process of the British parliamentary system that we follow here, which for some 300 years has been evolving — actually longer than that — that there are standing orders in this Legislature that say the government has a certain process it needs to go through in order to pass legislation in this province, as it exists in other commonwealths where the British parliamentary system exists. This government is saying, "I'm going to give a boot to the standing orders, I'm going to give a boot to the traditions of the province of Ontario in the Dominion of Canada, and I am going to do what I see fit because my name is Mike Harris, I won the election, and I can do what the heck I want and nobody can say anything about it." I say that's wrong. Does the government have the right to govern? Yes. But they need to do it according to the standing orders.

Specifically in regard to the bills that the government wants to bring before us in the new year, why are they doing this? Why is the government coming in with legislation that's going to allow an entire restructuring of how municipality, school board and education financing is put in place? It's quite simple. The government's got a financial mess on its hands. The government, because it has decided it's going to give people a tax break which is going to cost on an annualized basis at the end of five years \$5 billion worth of revenue, is having to go out and scramble to find the dollars to pay for the tax break.

The people in this House, the members of the New Democratic Party, are saying to the government: Listen, it is one thing to try to balance the budget. Ourselves as New Democrats, the Liberals in opposition and the government all agree with the direction that we need to balance the budget. Nobody argues that. In fact, the NDP

government of Bob Rae had a plan where over a period of five years we would have balanced the budget. But the difference and where we part company with the government is that we weren't going to do that in addition to giving a tax break.

What sound business operator would say in a time of financial difficulty, "I'm going to not only reduce expenses of my business, but I'm going to pay the shareholders a dividend," or, worse still, "I'm going to give away revenue that I'm now getting because I don't need it any more," and give away part of its revenue? That's what this government is doing. They're trying to find a way. They're scrambling within the ministries to find a way to pay for their tax break.

The government has to reduce \$8 billion worth of government expenditure to balance the present provincial budget. In addition to the \$8 billion, they've got to find another \$2 billion to \$2.5 billion to offset what the federal Liberal government is cutting in transfer payments to the province. So we're now at \$10.5 billion. Then in addition to \$10.5 billion, the combination of the present deficit and the \$2.5 billion from the federal government, the provincial government of Ontario, the Mike Harris government, has to go and cut \$5 billion in order to pay for the tax break. This is what this is about.

So what are they doing? They're bringing legislation into the House by stealth, by breaking the rules, by the sheer majority they have on the other side, and saying: "To heck with it. We're going to break the rules and we're going to introduce legislation in this House that's going to do the following." They're going to restructure according to their vision of what the metropolitan city of Toronto governance structure should be, never mind what the referendum said at the last municipal election. There was a referendum question placed by I believe Metro where they decided —

Mr Rosario Marchese (Fort York): Toronto.

Mr Bisson: It was Toronto actually — where they decided what they would like to see in regard to what kind of governance they should have in the city. The Mike Harris government campaigned in the last election saying: "We believe in local government. We believe the people should have their say by way of referenda." Well, what happened?

Mr Marchese: That was then.

Mr Bisson: That was then; this is now. It's another flip-flop. The government is saying, "Hey, not only do we no longer believe in local government," but the Minister of Municipal Affairs and Housing is saying, "I believe in one supergovernment in the city of Toronto," in the entire area of Metro: quite, quite contrary to the position of the Tory caucus prior to the last election.

Then the government has the gall to bring to this House, and has in committee right now, a work that is going on to develop referendum legislation in this province. The leader of the NDP, Howard Hampton, said: "At the very least, if you're going to put the boots to the city of Toronto, let the people of the city of Toronto, let the people of North York and the other boroughs have their say about how the municipality should be restructured. Have a referendum." What did the government say? "No, no. Can't have a referendum. That wouldn't be a good idea. That wouldn't work." That's what he says.

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Mr Bradley: When it's convenient, they want a referendum.

Mr Bisson: Exactly. The government says, "We're going to have a referendum when it's convenient for us." That's what they're saying. "We're not going to have a referendum because a referendum should be called in this case to give the people of the city of Toronto their opportunity to have their say." Here the government is trying to have it both ways. They're trying to say, "We believe in referendums when it suits us, but when it suits the people of the city of Toronto or it suits people other than Tory acolytes, we're not going to have a referendum."

We here in this House from the NDP caucus are saying to the government tonight: We will fight you on this one and we will fight you all the way, because you don't have the right, sir, Mr Premier; you don't have the right, sir, Mr Municipal Affairs; you don't have the right, Mr Minister of Education, to run roughshod over the democracy of the province of Ontario. And I dare you — I shouldn't dare you, because you're doing it, but I say shame to you. You don't have the right to do that. You have the right to govern because the people have given you the right under an election, but you have to do it according to the standing orders and you have to do it according to the Constitution of Canada.

You are, by way of this motion, saying, "To hell with the rules." The motion basically says the government will do what it wants when it comes to the standing orders about how legislation is introduced in this House. Then the Speaker comes into this House — the other Speaker, Speaker Stockwell — and says: "Well, technically the government's right. It has the right by majority to do what it wants as a Legislature. The Legislature can choose to break the rules."

Mr Speaker, the Legislature, the government of the province of Ontario, should live by the rules. It doesn't have the right, in my view, to come in and to do what it wants by way of what I would call jackboot tactics to the people of Ontario. They should have —

The Acting Speaker (Mr Bert Johnson): Pardon me. I don't consider that parliamentary. I don't think that's acceptable and I would ask you to withdraw.

Mr Bisson: "Jackboot tactics"? All right, I withdraw. I'm not going to argue. I think I've made the point. The government is using tactics that are extremely heavy-handed, tactics that I believe are contrary to the traditions of the Legislature, strategies that I believe are contrary to the intent of how a British parliamentary system should work, and it's saying it's going to do what it wants. I say to the government, you're wrong. You shouldn't be doing that.

We have legislation that is now before the House. We should deal with the legislation that's on the Orders and Notices paper. We should do so not only this week; we should do it next week. As far as I'm concerned, we can keep on debating and we can keep this legislation in until you want. I don't care. You have the right to have us sit here through Christmas all the way until June. That's not the issue. I don't mind that. In fact, I look forward to the question periods that are going to be ensuing. I look forward to having the ability to come in and ask the

ministers and the Premier questions and keep them accountable for what they're doing. But I certainly am not in favour of your basically running over the rules of this Legislature and saying, "We're going to do what we want," because the people of Ontario somehow, you feel, support what you're doing.

I don't believe they support your utilizing heavy-handed tactics in this House. In fact, I remember the polling that was going on last year around Bill 26. The people of Ontario were astounded and aghast at the tactics used by this government. People of the province in 1995 were saying around Bill 26: "We don't agree with the Mike Harris government, which is using heavy-handed tactics to get its agenda through. We agree that the government has the right to govern, but it should govern according to the rules and not just do what it wants." And that's exactly what's going on.

It's very much in keeping with this government. The one thing that really amazes me with this government is how they're in a complete state of denial. Every time members of the opposition stand up and ask the government a question, be it the Premier or the Minister of Education or whoever it might be, they always blame somebody else: "Oh, no, no, that's not true. That's not happening. No, no, it's somebody else." They're never accountable for the things that are going wrong in the province, but the minute there's a little bit of good news, they're out there saying: "It's all us. We did it. We're smart. We're great. We're doing a great job."

The buck stops here. You're the government and you have to be held accountable. Yes, you can take credit when things go right, but you also have to accept responsibility when things go wrong.

A good example of that is what we are seeing now with at least two ministers of the crown. We have on the one hand the former Minister of Health, who we now know has ordered, through the OHIP office, documents and billing information in regard to certain doctors in Ontario; got that information, had it sent in to his office and that information was going to be used as part of a communications strategy to smear doctors as they are trying to negotiate an agreement with the province.

How do we know that? Because the individual the Premier keeps on saying has been fired, the staffer within the Ministry of Health, as much as said that he had the information. The Premier is trying to deny that any information exists but we know exactly what happened because, in their own words, the government — and the aide of the Minister of Health called up the Globe and Mail, left a message on the voice mail; called the Globe and Mail reporter after and said, "I've got some information here you might be interested in." That's pretty direct. That means to say you've got the information.

The Minister of Health then refuses to resign until the House comes back so that they can have an opportunity to rifle through their files to make sure there's nothing in there that could be found, and then comes into the House and says, "Oh, I step aside while an investigation is going on."

Well, we already know what's going on in that account. They've cleaned the offices of the Minister of Health so that the information that would have been

damning to the Minister of Health is gone, more than likely.

The second point is, they appoint the privacy commissioner. The Premier of Ontario says, "I'm going to let the privacy commissioner do the investigation."

Mr Bradley: I think the shredder motors are burnt out.

Mr Bisson: Oh, the shredder motors got burnt out, Jim, the first night; I can assure you of that. What happened is that the minute the Premier of Ontario says the privacy commissioner is the one who's going to do the investigation — and we know that the privacy commissioner doesn't have the authority to do the kind of investigation that needs to be done. He cannot subpoena witnesses. Nobody is forced to have to speak to the privacy commissioner. If the person says, "No, I'm not going to talk to you," there's nothing the privacy commissioner can do about it because he doesn't have the right to subpoena, and nobody has the right to cross-examine the people who are brought before the inquiry in front of the privacy commissioner.

We are saying as an opposition New Democratic Party and our leader, Howard Hampton, is saying there needs to be a full public inquiry or, at the very least, there needs to be a legislative standing committee that has the ability to do exactly that to get to the bottom of this and to make sure that the information we believe was at the Ministry of Health office — that we can look into those matters.

Mr Len Wood: They're breaking the law.

Mr Bisson: Exactly. The member for Cochrane North says they're breaking the law. Of course they're breaking the law. It's an indictable offence. The information that was at the office of the Minister of Health is information that he couldn't have, as it was illegal. There are laws that protect the information of people and people's billings that even the Minister of Health can't have. In the form that he had it, in fact he was breaking the law, which becomes, I would imagine, an indictable offence. It means to say that criminal charges could be laid. This is a very serious matter.

On the other hand, you've got the Attorney General, who in his own way has his own little smear campaign going on about members of this Legislature, mainly the member for Sudbury East and the member for Welland-Thorold because they tried to hold him accountable to the mess he caused by messing up the family support plan system.

I say again, in the last minute I want to make it perfectly clear: The NDP caucus is not opposed to the House sittings being extended. We're prepared to stay here now and we're prepared to stay through Christmas until spring, if need be. That's not the issue. Don't get that wrong. What we are opposed to is that the government, by way of this motion, is in effect breaking the rules of the Legislature in saying that the government, by the weight of its sheer majority, will break the rules of the Legislature and it will introduce bills into this House that normally would not have the authority to be here under the existing standing orders.

We say to the government, as members of the New Democratic caucus, you don't have the right to do that. You were elected, you have the right to govern, but you

have to govern according to the rules of this House. That's the very least that you owe the people of Ontario. When you don't do that, the members of the opposition will keep you accountable, because if we don't, who in heck will?

With that, Mr Speaker, I would to thank you very much for having this opportunity for debate.

2300

Mr Toni Skarica (Wentworth North): As I understand this motion, the opposition objects to bringing the spring session into January, and I say that most people would be pleased to see spring in January.

There are two areas that I would like to address and one of them is regarding the remarks made by the member for Algoma, who indicated that we were in a rush to get to the Who Does What recommendations in education because we were out to destroy the education system, or words to that effect.

The fact of the matter is that the Who Does What people have made various recommendations on education finance. I didn't know this myself, but apparently everybody in politics has known for a long time that there are serious problems with education finance in Ontario and those have existed for a long time.

For example in 1985, the report of the Commission on the Financing of Elementary and Secondary Education in Ontario, the Macdonald report, recommended that there needed to be a pooling of commercial and industrial tax revenue, with equal distribution of grants on a per pupil basis. That recommendation was in 1985. Since that time we've had a Conservative government, we've had a Liberal government and we've had an NDP government, and none of those governments has acted on it. They just haven't had the courage to do so, because obviously there are people who are interested in protecting the status quo.

I'm referring to a document sent to me by a Dr Cynthia Armstrong, which is a submission given to me because I'm conducting the secondary school reform and I'll be presenting a paper next month. This is a document designed not to destroy the education system but to improve on it and strengthen it. This is not something written by the government or by a Conservative supporter; this is written by a constituent.

Mr Bruce Crozier (Essex South): She's one of the biggest Tory supporters in Essex South.

Mr Skarica: She's from Essex South, that's true, as one of the members indicated.

She made a submission as follows:

"Arguments put forth by assessment-rich boards calling for an increase in provincial funding to assessment-poor boards, rather than equalization, are self-serving and unrealistic in light of the current financial deficit that this province faces. It is well known that education spending in Ontario supersedes that of most other industrialized nations in the world. Our problem is not lack of funds, but rather unfair distribution of the funds available."

That problem has been evident in our educational system for a long time, but no government has had the courage to tackle that problem up to this point. This government, finally, is taking steps to remedy a longstanding problem that no other government has had the courage to correct.

There's one other area I'd like to address, and that's regarding, again, the Who Does What recommendations.

Mr Len Wood: Who does what to whom and when, and how much is it going to cost?

Mr Skarica: Who Does What is going to do something to me, and I don't like it.

One recommendation of Who Does What in my area, Hamilton-Wentworth, is that the government implement as quickly as possible a supercity deal signed by four of six municipalities. I'm surprised that members of the opposition haven't referred to this document, because it refers to a \$30-million tax cut, and everybody who's been sitting in this Legislature for the last year and half knows that you hate tax cuts. I haven't heard any criticism of this \$30-million tax cut by the NDP or Liberal members, and one of each is in Hamilton.

What's interesting about the \$30-million tax cut proposed in this document is that there are no details of how it's going to be done. It excludes, for example, transition costs and other changes, whatever that means. My understanding of mergers, whether they're done by corporations or governments, is that you take accountants and lawyers and you look at what you're going to do, if you're doing to do it responsibly, and determine what the costs and the consequences are. Nothing like that has been done in this situation. There's no legal analysis of this document; there's no accounting analysis of this document. In fact, there's no accounting or costing of any kind.

This is one of the most irresponsible actions, in my opinion, ever taken by anybody. It's incredible that you could suggest changes of this scale, probably the biggest in the history of Hamilton-Wentworth, and not have a single piece of paper outlining how much they are going to cost. Even though it's about to be one of the most irresponsible decisions ever made by anybody, we haven't heard a shred of criticism by the opposition.

Not only have the opposition members not attacked this deal, this \$30-million tax cut, but they've endorsed it, and the reason they've endorsed it is quite simple: It creates big government and thereby creates big costs. That's what they like. That's what they're familiar with.

What's also interesting about this — again nobody from the opposition has mentioned it or even looked at it, and we've heard catcalls and heckling here about private deals, private goings-on at the Ministry of Health and what's going on and so on — is that the whole genesis of this deal is a backroom deal. This was done totally in private, contrary to section 55 of the Municipal Act, contrary to Minister Leach's own guidelines. The municipal mayors and regional councillors got together and spent a night in a hotel, and at the end of the day, at 4:30 in the morning — it seems a lot of things in the political arena are being done at 4:30 in the morning nowadays, when no one is watching — this document came forward about this supercity deal. The only expensing I have seen, that the public has seen, is a \$700 bill for booze that was submitted to the regional government. That is the only expensing of any kind the public has seen as a result —

Mr Laughren: Is it Etobicoke or Hamilton you're talking about?

Mr Skarica: It's in Hamilton.

What's also disturbing is that the three suburban mayors who signed, and one of them is in my riding — two didn't and they're in my riding — are now indicating to the press and to me and to anyone else that the reason they signed it wasn't because it was a good deal or because they felt this was the best thing to do or because they liked tax cuts or big government; they're all saying in the press and elsewhere that they felt there was a gun pointed to their heads, that they had no choice but to sign this. They were told by the regional chairman, Terry Cooke, and the so-called mediator, Gardner Church, that if they didn't sign this, something worse was going to be imposed by the government.

Mr Conway: What could be worse than Gardner Church?

Mr Skarica: Good question. The truth of the matter is that when the Who Does What committee came out, I was looking in the document: "What's worse? Is the gun going to go off? Are there knives going to be thrown at these people?" In fact, when I looked at the document, every other alternative that was proposed by the Who Does What, except for the one they signed, was better.

Mr Conway: Are you talking about Kingston or Hamilton?

Mr Skarica: I'm talking about Hamilton.

Mr Conway: Because Al Leach has given birth to twins in Kingston. It sounds like a perfect match for what's going on in Hamilton-Wentworth.

Mr Skarica: I'm glad I'm getting support from the opposition for my submission here to the Legislature. It's the first time I've heard anything.

The great hallmark of the supercity deal, if you look at it, for those who have read it — I question whether some of the people who signed it have read it very carefully — is that it asks more questions than it gives answers.

For example, the whole purpose of this document was to save money, yet shortly thereafter, when people asked: "Where's the costing? Where's the accounting?" there was no accounting, there was no costing, there were no expenses except for that \$700 booze bill. Many of the people who signed it started retreating and saying, "It's not about cost, it's about reducing politicians." Then I look at the document, and Hamilton has 16 councillors, and in the supercity deal how many councillors do they have? Anybody want to guess?

Mr Laughren: More than 16.

Mr Skarica: No, 16 plus a community council. There are not fewer politicians, there's at least the same number.

If you look at the document, aside from all the other criticisms, the hallmark of it is that it's poorly drafted, it doesn't answer anything. I suggest that nobody has criticized it here because the opposition doesn't mind poor drafting. For example, the amendment by the NDP to the Liberal amendment on this motion had the same effect as the Conservatives' original motion, and now the NDP has withdrawn it. I can only assume from this that the NDP does not oppose the supercity deal, because it's as poorly drafted as their own motion today.

Mrs Pupatello: I am pleased to speak this evening on the motion the government has brought forward to change the sessions of the House, and a good evening to our

Minister of Transportation as well. What I was not looking forward to at the beginning of this week was having to finish our work this Thursday, because there are so many issues our party is anxious to discuss here in the House during question period and during debate that I was loath to have to give up until next year.

When you come from an area like I do, in Windsor-Sandwich, there are issues that are not just simmering now, they're boiling hot. The member for Sarnia will know well what I'm speaking of because he is finding the same in his own riding of Sarnia, and I'm talking of course of the health issues.

2310

Today, when we hear the beginning of the motion that we're going to be extended to the end of next week, I'll say hurrah, because we are anxious to be here. Our own House leader has already issued us our e-mail and our directive that we are to be here and cancel all plans for next week. In fact, if we need to be here until the 24th, nay, the morning of the 25th, so be it. We would prefer to be here because we have issues that we feel are highly relevant to where we come from. In fact, we intend to speak for members like the member for Sarnia, because the member for Sarnia clearly is more uncomfortable than I would be in speaking out against government policy. Kudos, sometimes, for those who have dared to speak at least to their local media about things that are happening at home, even though, when they come here to the House, they don't have the same opportunities that we have to speak up, and we should.

The latter part of the motion the government has brought forward today is of great concern. The VLT is simply another issue. I was quite disappointed that I, the member of the House who has had a casino in the middle of her riding for two years, who should have had an opportunity to speak on the VLT bill, didn't have an opportunity to speak on it. What did this government do at the time? The government brought closure. The government did not want to hear what the member for Windsor-Sandwich had to say about VLTs and their negative impact on a casino industry that is simply beginning in Ontario.

Had anyone spoken to casino experts across the country, even here in Ontario? I'm sure they didn't. We certainly didn't hear from them. I'm certain the government didn't forward any of that kind of information that was relevant. The government has had a history of having to quieten down the opposition, and we refuse to accept that.

The motion we're debating today is about going to next week, which we applaud because we're anxious to do so, but secondly, they want to begin the spring session in the middle of January. We fully expect to be here in January. Our House leader is determined to whip us into shape as opposition members, but we knew we would be here at the beginning of January. We don't have any problem with that.

The hook is that the House leader of the government party chose his words very carefully and decided to say that calling it a new session allows the government to bring forward new bills. He is also intending, as the government House leader, to have those bills completed

by the end of that session in March. That tells us that in a mere two months he is going to bring forward bills of such magnitude that we will not have the ability to get proper representation where we come from, to have appropriate debate here in this House. To that I say, why is the government so intent on using those types of words to allow for a new session, to try to rush through bills? Perhaps they know what we're going to be saying in some instances and they don't want to hear.

The other theory I have specific to the Minister of Transportation is that in calling mid-January a spring session, he might figure he will get away with less of an invoice on salt use, because he's trying to get away from even having a winter session, and that certainly is not going to happen. In fact, if we check the records to date, or at least the almanac, they're probably going to use more salt than ever, which brings me to an interesting point. I need to digress for a moment and I hope the Speaker will indulge me.

With the passing of bills in the past, when we talk about a tax cut — I'm referring to one of the members from Hamilton who spoke just before me on what people really want in terms of a tax cut; do they want a tax cut? When we talk about salt I think of the tax cut, and I'll tell you why: Because the Premier is so intent on bringing forward a tax cut, the government needs to borrow billions of dollars to finance it, and in so doing they have made massive cuts to their transfer partners, a critical one being municipalities, and have also decided to privatize many areas, like highway maintenance, and the southwest area, my area, has been the prime target, which they've decided to make their pilot project.

What does that mean, now that they've privatized the highways down there? Let me tell you what it means to townships in Essex county. Where they used to spend \$900 per township, payable to the Ministry of Transportation — which is probably not enough money; it should have been higher — for salt service so that during a storm, if we had it, the Ministry of Transportation would get out there all over Essex county and throw salt, now, under this new scheme —

Mr Crozier: "They should pack salt."

Mrs Papatello: Or pack salt, as the member for Essex South knows well, being from my county.

Let me tell you what we get in Essex county. The municipalities will be due for a bill from the private company that has overtaken the maintenance of highways for salt coverage, during storms, of \$20,000 a year. Maybe \$900 wasn't enough, but a \$20,000 bill per municipality in my county, payable to a private company? Why? Because this government has selected to slash the funding to municipalities, one of the most significant transfer partners in the province. Why? To finance the tax cut. And now you know why, when I think of the tax cut, I think of salt — not because I happen to have the largest salt mine in the middle of my riding. All of us have heard of Windsor salt. You probably find it on your table most nights. That comes from the riding of Windsor-Sandwich.

The greatest disappointment of all, for those who have been Conservative supporters, is that now, after a mere year and a half of a Conservative government that is

simply called "Conservative" and is truly Reform, we are seeing implications of their policy: a tax cut that would dare to finance itself by borrowing money and incurring more debt. What does a \$20,000 salt bill mean for people, municipalities, townships, LaSalle, Maidstone, any township in my county? The town of LaSalle has 20,000 people in it. That in effect works out to \$1 a head a year just for salt. My House leader agrees. This is unconscionable. Did we know this is what it was going to mean? No. Were they clear about that?

Today I want to talk about this motion before us. Why are we going to come back in January? If the government were smart, they would get the heck out of the House because they can't take the heat here. We're bringing out far too many issues that are relevant. They want to come back only for a reason: to introduce new legislation that we are not going to have near the opportunity to discuss in full. I want to know the ramifications of every bill that comes into this House. I want to know the full implication for my riding of Windsor-Sandwich, or my future riding of Windsor West. I want to know what it's going to be. They have in a very clever, devious way, used wording that allows it to be called a new session, totally inappropriately.

What causes us the most consternation of all is that this evening we have had a ruling from the Speaker. After he took some 20 minutes to deliberate, he came back to the House to determine whether the bill was in order. This is what he said:

"Finally, and I think this is the most important of all, the House is supreme," and we agree. "The Legislature itself can change sessional periods, it can make changes to the standing orders." We watched this happen under an NDP government, which was most difficult for the other parties at the time, and all we can say is that was then and this is now. "These are guidelines, and if a motion is in fact in order and the House votes on it, they can change the standing orders at any time. We must remember that, because we've often in past governments, and in examples that I've seen, seen all parties and all governments change standing orders or stand down standing orders for specific reasons."

The specific reason in this case is because the government does not want to allow an opposition party, namely, the Ontario Liberal Party, to find very good reasons why there will need to be amendments to bills that are brought forward here, and the government is bound to give us the time to look for those reasons because that's our job. For the Speaker to come back to the House today and say that because they have the power to do it, that motion stands and is in order — I say to the Speaker there is more history in this House that is relevant than what he chooses to call being in order, that what is more relevant is that there is a history here called democracy and that we need to have the opportunity to act as her loyal opposition. We have to have a due process and an allowable amount of time that lets us go back to our constituents and to key leaders in our communities, that allows us to see whether in fact public hearings are required, the results of those hearings, to say, "Are we making the right decisions?"

2320

Granted, we're in the minority, and yes, there's a majority government, but regardless of that, the government, we want to hope, wants to do the right thing, and because of that, it needs to hear from her loyal opposition, and that's us. If the government members didn't understand, what may seem to be just semantics in the slight change of a word, in the slight change of the name of the session, in fact is highly relevant to us and to most people in Ontario. If you've really got nothing to hide, you've got no problem taking the time to hear us out, and that includes the time to speak appropriately, with enough time to get the right kind of information.

The Minister of Transportation is well known for wanting to hear. All I can say to the ministers here tonight is, give us the time. This motion must change; there must be amendments.

Mr Conway: I thought you would have said, "Give us the salt." I want to hear more about the salt.

Mrs Pupatello: I wouldn't mind speaking more about the salt. It's actually quite astonishing to think that townships in Essex county will be paying \$20,000 more. Most of our townships don't have the reserves. At least they had some reserves, some of them, last year. What we're finding in our research so far, during a Conservative reign in Ontario, is that the municipalities couldn't reconfigure themselves or re-engineer themselves, call it what you will, fast enough for the massive cuts to transfers they were getting. What they were forced to do in the first year was to use up their reserves. We're into the second year now. Those reserves are no longer available. Now we're starting to see the kinds of changes that the government never expected but that we said would happen.

During the hearings on Bill 26, I talked about the potential in Bill 26 to put up a toll booth on the E.C. Rowe Expressway. In fact, that is now possible because of Bill 26. The minister perhaps has not driven the E.C. Rowe Expressway in Windsor-Sandwich, but I will tell you that you can come from Tecumseh at the one end and go to LaSalle at the other. If the city of Windsor was that cash-strapped, it could put up a toll booth.

Hon Mr Palladini: I agreed to come.

Mrs Pupatello: Now the minister wants to discuss this. Let's discuss with the Minister of Transportation exactly what we've been trying to tell him for some time. He has decided, in his wisdom, to make a road transfer for the town of LaSalle. In this road transfer, he's decided to give us a road that, in its current condition, is not even up to standard, the minister's standard. So, we brought the good people of LaSalle here to Queen's Park. We met with the minister. We showed him photos, we showed him pictures, we've invited him to come to LaSalle. Come to Windsor. The door is always open. We've said, "You have not given us the funding required to even upgrade the roads to the standards the minister himself wants Ontario to follow." He's taken that under advisement, and we are expecting a decision soon.

I believe what I had asked the minister for actually was a decision before Christmas, because in fact if the minister is going to be fair and transfer roads, at least transfer the roads to allow us to get to standard. The town

of LaSalle has 20,000 people in it. It's the fastest-growing town in Canada by housing starts. Surely, you are not going to make the people of LaSalle suffer. There are some good Conservatives in LaSalle, too, so if not, do it for political reasons, but for God's sake you need to do it because this clearly needs to be revisited.

Mr Crozier: What about the 10% for the casino, too?

Mrs Pupatello: Yes, we should talk about the casino some time, because for some strange reason I was not allowed to speak to Bill 75. Here we have a slot machine bill. Where in the province is Bill 75 going to have the greatest impact but in my riding? In the heart of the riding of Windsor-Sandwich, the people of Ontario would find the longest-standing casino in Ontario. Two years we've been under operation. We have poured millions of dollars into the coffers of Ontario, but this government has selected to introduce slot machines, 20,000 of them.

The only good thing about the bill is that the raceway in Windsor, another controlled environment that does gamble, is going to be allowed to have slot machines. But there's no other protection in that bill they passed, and we have yet to see what those ramifications will be, but we will see them soon.

But here we have a government that is so haphazard, jumping all over the place, sort of like patchwork, just, I suppose, like the work the Minister of Transportation does on the roads, a little bit of asphalt there, a little bit of asphalt there, but eventually it starts to crumble again. All I can say is that the introduction of slot machines in Ontario at the same time that you choose to open —

Interjections.

Mrs Pupatello: Every bar and every restaurant now is going to have that available to them.

You just made a grand opening in Niagara Falls. You just opened a new casino in Niagara Falls. You've got the casino in Orillia. Why, when you are trying to get a casino industry up and running in the province of Ontario, would you dilute the gambling industry by introducing slot machines? From a business perspective, it makes absolutely no sense.

The fact that I was not allowed to address those concerns during the discussion on Bill 75 is ample reason and ample example for the people in this House to understand that the motion that is before us today gives me that same kind of shortness of time as a member of Her Majesty's loyal opposition. The people of Windsor-Sandwich deserve that kind of representation. The people across the way need to understand that we do have some very valid concerns. We're not going to oppose everything just for the sake. We've got very good, sound evidence why you need to amend and why you need to discard sometimes, but surely the government members are so interested in the public good that they would want us to have that opportunity. What I say now is that the motion before us today does not allow us that opportunity.

Mr Bradley: What about the obstetricians?

Mrs Pupatello: We can't get away from my discussion in the short time I have left to talk about the health care system in Windsor-Sandwich. Why I'm so anxious to be here until Christmas and why I responded quite well to the e-mail from our House leader that said, "Look, cancel plans for the next three months; you're here in the

House," and I say that's fine by me, is that we had a revelation over the weekend, and that revelation concerned health, and that certainly culminated in the resignation of the health minister.

This is not anything that's personal. I think on an individual basis this individual has worked long and hard in the portfolio that he's been given. I will say that he did come to this job with no vision, and I must be consistent on this. The health minister had no vision for health care in Ontario, and in particular for my riding of Windsor-Sandwich, which is very similar to other regions in Ontario that are not surrounding teaching centres, because those are the areas that have traditionally been underfunded in health.

What happened when the health minister resigned? He has thrown the whole state — if there was anything in a particular array, it is now in disarray. We have meetings that have been postponed. Everything has been put on hold. That may not mean much to people who come from Metro or the GTA, who have been funded at a higher level per capita than the people from Windsor-Sandwich, but let me tell you what it means to me and the people where I come from.

We have been underfunded for many years. Yes, we've had a specialist deficiency in terms of medical care for some time. Now we have a case where we have so few obstetricians, much like the member for Sarnia is experiencing, with women who are pregnant — I have women on our list in our constituency office who are in their seven month now, sixth month, who have yet to see an obstetrician — this is a very serious matter. I defy any member to stand in this House and tell me something that is more relevant and more important to quality of life, just to our persons, than a baby being born. There isn't anything. Here we have women who are frightened. We have tried to organize their care through the United States, much against my will, I can tell you. I don't want our women going to the United States, not when we have an exceptional level of service in Windsor, but that's the point.

This minister has, from the moment he arrived, caused such dissension among the groups that he needs to work with, since he arrived in that ministry, that he alone must bear the fact that we now are in negotiations that have not yet been settled with the Ontario Medical Association. That minister, the same minister who resigned this week, is the same minister who has brought all this to bear on the Conservative government and the Premier, Mike Harris. Let me tell you what my local paper said about all of this.

2330

Mr Bradley: What paper is that?

Mrs Papatello: That's the Windsor Star. We have a columnist, Gord Henderson. I suppose to call him controversial might be an understatement. In any event, he had a very quiet discussion with some local Conservatives and his take on the whole situation with the health minister having resigned —

Mr Conway: Is it true that the Conservatives in Windsor-Sandwich are protected only by the game laws?

Mrs Papatello: Yes, that is true, member. The government is hearing loud and clear from its own grassroots

that this dispute is inflicting political damage that could have devastating long-term consequences. Now, this is Gord Henderson speaking to local Conservative activists in my county.

Mr Crozier: Both of them.

Mrs Papatello: No, there are actually more than two. He says, "Fix the problem fast before it's too late." That frantic message was recently conveyed to Wilson in a letter from the Essex South Progressive Conservative Association. I wonder if it's that same Cynthia Armstrong that the member previous spoke about. When we're going to bring in those kinds of examples, I think it's important to also say who is speaking and for whom because that is highly relevant in today's discussion.

"Fix the problem fast before it's too late." That was the message from local Conservatives to Wilson, to the Conservative government, because they have seen it crumble. The wheels are going flying off this car and, really, what direction are we going in? This minister has come up with umpteen examples of what maybe he's going to do in Windsor-Sandwich or in Essex county to fix the problem for pregnant women. "Oh, we're going to send them to the States. They can just pop across the river." Remember that? That was absurd. He didn't talk about potential immigration issues, customs issues. He didn't talk about potential visitors' visas required by women who have landed immigrant status.

Then to make matters worse, he got himself caught in a scrum outside, and what was his answer at the time? "We're going to open a clinic and it's going to be open within 30 to 60 days." Do you know how many days ago that was? Almost 60 days ago. We are nowhere closer to a clinic in Windsor than we were before he mentioned it. Now all of a sudden, he's got a brainstorm. That clinic has been on the books in the Windsor area since 1993. This is nothing new.

The people in Windsor have known what the issues are and have been looking for government to show leadership for some time. So I highly resent the ex-Minister of Health trying to come to the table with all of these things, and now he's ex-minister and he's gone. What has that left us? This is most unfortunate. You've appointed the House leader, the Management Board Chair. You've thrown the health ministry on this man, and it's an impossibility for him to handle. The problems in Essex county alone are more than most ministers can bear on that side of the House.

So he decided to talk for some time about rationalizing health services. All of a sudden, about a month ago, the light went on. About a month ago, the light went on and a concept that was born in England somewhere in the early 1900s that talked about a comprehensive health organization all of a sudden is starting to make sense. If the minister had returned our phone calls when he was first made minister, last week, two weeks ago, three weeks ago, we would have told him that the people in Essex county have known for a long time that we need an integrated health system. That's what we need.

The minister was scheduled to meet with health leaders in Windsor on December 17. Now he's the ex-minister. Is your Management Board Chair prepared to continue that dialogue? We still don't have a clinic for prenatal

care. We don't have women popping across the river because it's quite difficult to get them there, and instead we're mired in a quagmire of bureaucratic red tape to get their applications processed so they'll have pre-approval for OHIP to get them to an American doctor.

Just this past weekend on CBC in Windsor, what did they show us? They showed Windsor people, families, parents, going, finally, in their sixth or seventh month, to Detroit, to Hutzel Hospital, Henry Ford Hospital, to get care at a cost, my friends, of five, sometimes six, times the cost of that same service here in Windsor.

Mr Bradley: What did the doctors say in Detroit?

Mrs Pupatello: The doctors in Detroit, when they saw them, said, "I can't believe these people have not been seen by an obstetrician." These people have to have appropriate prenatal care. It's actually to the point where women's health care is being compromised. This is unacceptable. Do I want to be in the House until Christmas? Absolutely. Do we want to be here in January? Absolutely. Can this government possibly afford to bring forward new legislation not to give us a chance? Absolutely not, and that becomes the whole discussion.

We have too many things to talk about that are highly relevant today, and the health ministry is but one, although it's a major one. It's the ministry that expends the most. Governments continue to claim here that they're spending more. Well, if the government had a plan for health care, that might seem reasonable.

Let's make a quick summary of the ex-health minister and his legacy in Ontario to date. Let's look at his legacy. He cut \$1.3 billion to hospitals. He gave himself new powers during Bill 26. He has made the situation between the Ontario Medical Association and the ministry the most impossible to get over, so much so that at one point even my Essex county medical association president in Windsor, who is typically a very reasonable individual, said, "As a sensible, calm and reasonable physician who has attempted to guide his medical community through unstable times, always focusing on achievable goals, attempting to avoid rhetoric, I, Ian McLeod, MD, have finally become appalled and even incensed at the recent puerile behaviour of your government." So we want to talk about the timeliness of the minister's resignation.

Mr Len Wood: He was fired by Mike Harris.

Mrs Pupatello: Yes, indeed, he was fired. He has also done it himself.

This is Gord Henderson in the Windsor paper, "How timely of Wilson to do the honourable thing and clear the way for the government's most capable minister, Management Board Chairman Dave Johnson, to take over negotiations at this critical state." How timely. The Conservative people in my community have said months ago it's time this minister went. How absolutely timely that he chose to resign.

There is far more to this than a simple leak of information and it's certainly far more than what some of the people wanted to start to discuss. "Doctors' OHIP Billings Should Be Public," written in the Toronto Star. Hello, hello. All I want to say is, let us not get carried away on to another topic. If that is a topic that should be discussed, it will and at another time. It is simply irrelevant in this discussion.

All I can say is that I welcome the opportunity to be here till Christmas. I welcome the opportunity to be here in January. This government cannot afford to send health care off the rails, and if it's off the rails, all four are off the rails, and unfortunately for Ontario and for our citizens, especially those in the Essex county area, the areas like Sarnia, two wheels are already off the rails. The government can't afford the introduction of new legislation because if they did it, they would do it as they have done most things in the past: they did too much and they did it too fast. The government cannot afford the same mistake.

Mr Marchese: I just want to remind people it's 11:35 and I'm happy to be present, awake, alert and eager to join in this debate and the motion that has been introduced by Minister Johnson from Don Mills.

I want to talk to the people who are still awake and watching and hopefully eager to follow this discussion; I want to tell them why this motion is before us. I want to say off the bat, this is about more Tory malfeasance, and it's about to happen in the next month.

This is the kind of discussion that probably has gone on in the Tory caucus in the last little while. Mike Harris probably went to caucus in the last week or two — I'm just waiting for the Speaker. I'm sure there's a ruling coming. Did the word "malfeasance" bother anybody?

Hon Mr Palladini: Rosario, don't use those big words. Come on, talk like College Street.

Mr Marchese: All right. I think I can move on. Thank you, Mr Speaker, for allowing me to continue.

I can just imagine the discussion that probably went on in caucus. Mike Harris probably went and said: "Boys, we're having some tough times. We've got to hang on. I know you guys are tired. We've been through a lot already, but if we can just hang on for the next couple of months, our agenda will be pushed through. We will be able to effectively pass all the things that we wanted and the people will enjoy it and like it, but we need to do it in the next three months. It has to be done. We cannot afford to push our agenda beyond next June because if it continues beyond next June," Mike said, "we have a big problem on our hands. Boys, I know you're tired and you're going to be awfully tired when you come back, but it's got to be done. It has to be done. So enjoy the couple of days you're going to have from the 24th or so until January 3, because when we come back, there are a whole lot of things we've got to get done."

"The good thing about this strategy," Mike said to you and all of the caucus members, "is that we will bamboozle the whole public. They won't know where to run. There are going to be so many bills, they won't know which bill to defend and/or attack, because we will present the whole bundle, the whole stockpiling of bills, all at once. They will be so divided they won't notice that we have stockpiled so many bills that will hurt the public, but at the end we will have achieved what we want. And in the following two years, we will be able to simply coast without having to introduce anything that people will notice, that people will attack us for."

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This is what this motion is all about. That is why these fine Tories have said and continue to say, "We want to

come back and work." We all want to work here. I haven't heard one member saying we don't want to work. Every member in this House wants to work. I'm just providing a reason, for those of you who are still awake, why it is that the Tories want to eagerly come back here on January 13 to work, that is, they know their agenda has to be completed by next June or they are in political trouble if the agenda is pushed beyond that date. They can't afford to push some of these measures, such as amalgamation of Metropolitan Toronto, of all the cities into one megacity, beyond next January.

There are going to be tax changes. We're going to have market value assessment again. They've been able to push that off for some time for a reason. The reason we don't have it yet is because they don't quite know what to do. They have been told by a number of experts in the field that market value assessment is too complicated to bring in in the time they want, so they're scrambling. The experts from British Columbia have said, "You don't have the resources to do it." No other private sector person has taken either the bait or the contract, because they know they don't have the resources to do an effective job, so they're buying some time. They've pushed it off. But market value is coming and a lot of people will be hurt, especially if it's not done effectively. Even if they do it as effectively as they can, there will be a lot of people who will be hurt by it. But that's coming, and education reform is coming.

All of these reforms, so-called, are coming to service the income tax cut. It has to come and these matters have to be dealt with because they need cash and they need it right away. The measures they're about to introduce, of which we know nothing, because they won't tell us what they're going to introduce — we have a fairly good idea but they won't tell us — are there and need to be introduced in January so they can service the tax cut. They have a cash problem. They know that and the whole world seems to know that. I want to get on to a few other things and come back to the income tax cut, if I have some time.

The member for Don Mills said, "We need to introduce these 16 bills because we want to encourage jobs."

Mr Turnbull: York Mills.

Mr Len Wood: That's the government whip.

Mr Marchese: Yes. York Mills is you, David. I'm talking about the member for Don Mills. I wasn't talking about you.

"We want to encourage jobs. We want to encourage economic growth." That's what the member says. How these bills are going to help economic growth or encourage jobs is beyond me. He speaks the nice language about jobs, makes it appear that by saying it, these bills deal with jobs, but there is nothing in those bills that will create jobs in fact. Remember, this is the government that said if you elect them, they're going to create 725,000 or 740,000 jobs. We were going to prosper with the Tories. That's a favourite word of Mulroney, by the way, and the Tories provincially here use it as well. We will prosper with them. The jobs will simply roll like a snowball rolling down a mountain. But we haven't seen these jobs. We haven't seen them.

Mr Turnbull: Yes, we have.

Mr Marchese: The member for York Mills says, "Yes, we have." He quite proudly says, as members over there have said from time to time, "We have created 125,000 jobs." They say it proudly. They fail to make a different kind of connection, and that is, unemployment is at 10%. In Ontario, it's 9.3%, 9.4% — very close to 10% — higher than at any other period in our history.

Mr Len Wood: In the north, 15%.

Mr Marchese: In the north it's probably higher, of course. So this member says, "We have created 125,000 jobs." He says that proudly. But unemployment is very high, youth unemployment is very high, wages are coming down in this prosperous province that this member and this minister were speaking about and to. The jobs they're promising are not coming.

Mr Len Wood: We're worse off now than we were before.

Mr Marchese: We are worse off now than we were before, and the member for York Mills keeps on saying, "Yes, they are." Unemployment has gone up and it's getting higher. How he can speak proudly of that record is beyond me. We would have had prosperity by now. It's a year and a half into their mandate. Prosperity should have been rolling from the early start of this government. It's not coming.

There are a few things that worry the public. The public has a better sense of the reality we're trying to deal with than the nonsense that is spoken about by the government members. I have a few articles here that speak to the cruelty, the reality that we are experiencing here in Ontario under this government that speaks about prosperity.

The Acting Speaker: I just want to remind the member that we are now debating the amendment to the motion; not the motion, the amendment.

Mr Marchese: I am speaking to the amendment and to the main motion as well, at the same time. They are all interconnected.

I want to refer to a number of articles that have appeared in the last couple of months that speak to the reality that we have in Ontario.

"Need for Hostels Soaring." "Metro's shelters for homeless men are experiencing unprecedented demand. This month 1,300 men are occupying shelters nightly, an increase of more than 20% over this time last year. 'All of our shelters are overburdened,' one of the administrators from the Metro government says, 'and people are desperate.'"

That's a reality a lot of people are experiencing out there that we need to speak to. People are forgetting the homeless out there. As people speak about prosperity and as people talk about needing to pass these 16 bills and other bills that will be presented later to encourage jobs, they're not here. They're not coming. The number of homeless have been increasing and are increasing steadily under this government. They're smug, and the member for Don Mills says happily, "The job numbers are growing."

What is growing, member for Don Mills, are the homeless who require more shelters. That's what's growing under your leadership and your stewardship of this province. Under your stewardship, member for Don

Mills, the number of poor seniors is on the rise, a study warns. Under your fine stewardship, the number of poor seniors is on the rise, and the member talks about this prosperous Ontario we have here. They talk proudly about all the jobs they are creating, and these bills and other bills they want to introduce as part of the motion are going to create jobs.

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The number of poor seniors is on the rise under the wonderful, wise stewardship of this government. Under the wise stewardship of this government, child poverty is increasing. Children living in poverty make up as much as 4.3% of our population. We have seniors who are increasingly becoming poor. We have children's poverty increasing in this province and in this country. We have need for hostels because more and more people are on the streets. We are furthermore, through your cutbacks, creating a very terrible and desperate reality out there. Because of the cuts to social assistance, emergency shelters and legal aid, women are being forced to choose between their personal safety and feeding their children. Women are losing their basic right to security and personal safety.

The results of a survey on women's shelters across the province contain many personal accounts of the impact of the government cuts on the lives of women and their children. Emergency shelters have been cut by 5% and there have also been cuts to crisis telephone lines and counselling programs. Second-stage housing programs have lost the funding for all of their support and counselling programs. As a result, these services and programs have faced greater difficulty trying to provide safety and support for victims of abuse. In addition to the cuts to women's shelters, the 22% cut to social assistance has put victims of abuse and their children in poverty. That's the reality people are probably worried about and thinking about. You are not speaking to that reality; that is why we are speaking to this reality.

People are worried about jobs. Your government is chopping 15,000 jobs directly from this province and indirectly municipalities are firing people now every year. They started last year and they're starting again. They are firing people. Why? Because you've reduced benefits to municipalities by 43%. When you do that, the reality the municipalities have is to cut people. People will lose their jobs. To you fine people over there on the other side they are numbers, because you speak of them as percentages, but these are real humans with families, with children. Poverty is increasing for all of the groups that I've mentioned, but generally it's increasing.

People are worried about their housing. We don't have a sense yet of what your government intends to do with public housing, with non-profit housing, with cooperative housing. People are worried about that. They have experienced cuts to the housing programs and they are worried they will experience more cuts as time goes on. We don't know how they will be governed. We don't know whether you're going to shed your responsibility and give them to municipalities or some other third body. We don't know what you're doing. We don't know what you're thinking around this area, but people are worried. Why? Because their shelter is their home and when

people speak about their home they get worried about what you might do to it and to them. But you haven't told us what you're planning.

Minister Leach evidently had announced some advisory group to come together to talk about what to do with public, non-profit and cooperative housing, but we don't have a sense yet of where he is moving to. People are worried. They're anxious. They don't know what you're going to do to them.

They're worried about rent controls. I was at a meeting tonight in Minister Saunderson's riding. They were worried about the removal of rent controls. Your decontrol has worried them a great deal. Why? They know that while you say the marketplace should take care of rents and that rent control should therefore be removed, they worry because they have a sense that regulations will protect them. I have to tell you, member for York Mills, they said at this meeting tonight they are very, very angry about what your government is going to do and your Minister Saunderson from that riding is not going to survive in the next election. You smile cheerfully at that, but that's going to be the reality some of you will face in your ridings. Why? Because you are affecting their livelihood and you are affecting their homes.

They're worried about what you're doing with health. They're worried about your telling the public on the one hand, "We're not going to cut health," and on the other, while you're in government, you cut \$1.3 billion. They're worried about that. They're worried in Metropolitan Toronto that 15 hospitals are likely to close. That has them worried. Why? Because these are basic things that people need — basic, basic things.

This government cheerfully walks through their agenda saying: "Ah, we're on the right track. People like what we're doing." But you're wrong. They don't like what you're doing. They're very worried. On the Workers' Compensation Board you are going to be cutting their benefits. People will receive 85% of what they now earn if they get injured as opposed to 90%, and you happily announce that on the backs of injured workers, people who lose their means to earn a living, and you cheerfully talk about that as if somehow you're doing a great thing for injured workers. It is astounding, the courage and the fortitude that these members have to go after the injured worker. They do it cheerfully. But the injured worker loses his or her ability to earn a decent living from now on, once they get injured.

I am talking about so many aspects of our cultural, social and economic life that people are worried about. In education —

Mr Len Wood: You cut off one leg and then you throw them in the junk pile.

Mr Marchese: Len, in education, people are worried.

Mr Len Wood: Education is terrible. Not one penny out of classroom education.

Mr Marchese: Yes, they said they were not going to touch one penny, and they did, they are. They're cutting millions. And you know what they're doing? They want to privatize some of the services in the schools. They are destabilizing, with their announcements, with their pronouncements, the educational system. They are demoralizing the teachers whom they praise from time to

time and criticize at other times. They are panicking trustees across this big province of ours and, most of all, they're confusing parents.

They're confusing parents with a booklet like this, which they give them two little months to respond to. Complicated stuff, as a former teacher, I have to tell you. Some of you are brilliant on the other side, and of course you absorbed this stuff in no time and were able to assess what's within it and to say yes or no to some of the stuff. But I tell you, a lot of parents, well-educated, have a problem with this document. Some is not clear, some requires a great deal of time and discussion, but they give them two little months to deal with a very complicated document.

But beyond this, what this is all about, this is a mask, because this is not going to change the educational system very much. It will not improve it, as some of you think. But it is a mask to get to some other real problems that they want to get to. Because what they want to get to is to take \$2 billion out of education. They say \$1 billion; I argue \$2 billion. We have the parliamentary assistant, who came to one of the meetings I was at, and the real agenda was not this. He had another slide-show presentation, which he presented with a great deal of

pride, and he talked about where the billions of dollars were and where they need to be cut.

As we talk about all these things, about education and everything else, what we have is brokers raking it in, bankers raking it in, record profits. The member for York Mills smiles at that. Brokers are raking it in, bankers are making record profits, and they smile.

Mr Len Wood: And kids are dying. People are dying on the streets because of Mike Harris.

Mr Marchese: Women are receiving less and less by way of —

The Acting Speaker: Order. I'd ask the member for Cochrane North to withdraw that.

Mr Len Wood: I withdraw it, but people have died on the streets because of the —

The Acting Speaker: No, you have to withdraw unequivocally. I'd like to give the member every opportunity.

Mr Len Wood: I'll withdraw.

Interjections.

The Acting Speaker: There are two of us standing and one of us is out of order, and it's not me. It being almost 12 of the clock, this House stands adjourned until 1:30 tomorrow.

The House adjourned at 2400.

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Speaker
Honourable Chris Stockwell

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 11 December 1996

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 11 décembre 1996

*The House met at 1330.
Prayers.*

MEMBERS' STATEMENTS

FAMILY SUPPORT PLAN

Mr Jean-Marc Lalonde (Prescott and Russell): Day after day for the last several months we have been hearing horror stories about how the Tory government has mishandled the family support plan. We continue to be shocked by the seriousness of these stories and by the sheer numbers of women and children whose lives are being seriously affected by the Attorney General's mismanagement of this very important program.

Today I bring to the Attorney General's attention the terrible plight of Jacynthe Leroux, a woman who has had custody of her son for the last six months but cannot get the family support plan to stop deducting half her paycheque every week to pay child support that she no longer owes. To add insult to injury, the court-approved order to stop garnishment of her paycheque has been lost three times by the family support plan office. In the meantime, her salary continues to be garnished, and Christmas is only days away. This woman is trying to support herself and her child on half her normal paycheque because of this government's continued mismanagement of the family support plan.

Rest assured that we will be pursuing this issue in the House next week and that questions to the minister will be forthcoming if this terrible mess is not cleared up immediately.

WORKFARE

Ms Shelley Martel (Sudbury East): This Conservative government's workfare program is a disaster, and the sooner the Minister of Community and Social Services admits that, the better off we'll all be.

Let's take a look at a workfare project in the Premier's own riding of Nipissing. The North Bay office for workfare is apparently a new resource centre designed to help people look for work. Six positions for resource centre assistants were posted. These placements involve 17 hours of work weekly. The problem is, however, that there's nothing new about this resource centre. It was already operating in that community under the sponsorship of a non-profit organization called Low Income People Involvement of Nipissing. That organization administered a pilot project called Windows of Opportunity and that program and the staff involved assisted people trying to get off social assistance and back to work.

The Conservatives issued layoff notices to the 11 unionized staff in the Windows project in August. Then the postings for replacement staff occurred. Then the staff being laid off were asked to train the six new workfare participants. That's absolutely contrary to workfare criteria, which state that placements are not allowed for two years in a position where a unionized worker had done the job. Worse than that, 12 people who had full-time work are now being relieved and the government is using exactly the same project as a workfare tool.

The new centre is using all the equipment that used to be used under the Windows project, and even the job bank. The only difference is that the lack of experienced people will mean that people will not get the help they need to get back to work.

HURON COUNTY AGRICULTURE

Mrs Helen Johns (Huron): At a recent Huron County Federation of Agriculture meeting I was presented with a report on the impact of agriculture on the economy of Huron county.

Production by Huron county is very significant to the nation's agricultural sector. Huron county produces more farm-gate receipts than five provinces. This is very significant considering that the population of the county is only 55,000 people: \$436 million in farm-gate sales, of which it is estimated \$318 million is captured by the local economy. It is estimated that in 1996, 4,600 jobs existed in the agriculture sector and a further estimated 6,300 were tied indirectly to the agriculture sector in Huron county through expenditures by agriculture-related businesses. The total impact of agriculture on the labour force in Huron county is estimated to be between 10,000 and 13,000 direct, indirect and induced jobs.

Further, the value of agriculture for Huron county in terms of sales generated is estimated at between \$1 billion and \$1.5 billion for sales generated within the county alone. Adding in the sales generated outside Huron county, we can add another \$2 billion to \$3 billion in sales. Clearly there is a significant impact on the Huron county economy.

I would like to commend the hardworking agricultural community in my riding for their dedication to the industry and their tremendous accomplishments.

LIQUOR CONTROL BOARD OF ONTARIO

Mr Bruce Crozier (Essex South): The member for St Catharines and I have risen many times on questions and statements in our opposition to the government's ill-conceived idea of the privatization of the LCBO.

I rise today to commend the Ontario Liquor Boards Employees' Union on a report they released to the public

this morning entitled Home Grown Solutions. Accompanying this report were 69,000 petitions from Ontarians opposed to privatization of the LCBO. This report marks a major step forward by the employees of the LCBO as they seek to improve the current system in order to achieve a modern, efficient and entrepreneurial alcohol distribution system for Ontario.

Briefly, the report outlines four steps for modernization and evolution of the LCBO in regard to hours of operation, Sunday service, mini-stores and kiosks. The employees put together this report by listening to the people who really matter: the customers of the LCBO. I believe we are seeing a great transformation at all levels of the LCBO and I strongly believe it is the consumer who will be the clear winner.

I encourage the minister to once and for all rule out privatization of the LCBO and to act on these initiatives in order to create an even better LCBO and relieve the anxiety of some 5,000 employees.

NATIVE SELF-POLICING

Mr Len Wood (Cochrane North): I want to direct my statement today to the Solicitor General and the minister responsible for native affairs.

Last week I met with Deputy Grand Chief Stan Louttit and chief negotiator Bill Nothing of the Nishnawbe-Aski Nation, who are very concerned about the suspension of the Canada-Ontario-NAN negotiations on policing. The primary goal of the agreement, which was signed in 1994 under the previous NDP government, was the establishment of an aboriginal police service to provide effective, efficient and culturally appropriate policing to the people in the Nishnawbe-Aski area. This process is an important step towards self-government. The first phase of the agreement expired last September and the Nishnawbe-Aski Nation wishes to proceed with the negotiation of phase 2.

This government has suspended the negotiations. The Nishnawbe-Aski Nation is writing to you and you are not responding. They made an appointment with the Deputy Solicitor General and she cancelled. I'm urging this government to take its responsibilities and to meet and negotiate in good faith with the Nishnawbe-Aski Nation to find a solution to this crucial issue before it gets way out of hand and we end up seeing the clock turned back 10 or 15 years. It's important they get to the negotiating table and negotiate in good faith for a policing agreement for the Nishnawbe-Aski Nation.

SMALL BUSINESS

Mr Dan Newman (Scarborough Centre): It gives me great pleasure to rise in the House today as the member for Scarborough Centre in order to inform the members of a small business breakfast held this past Monday morning in my riding. This small business breakfast hosted by LeisureWorld brought together some 50 members of the small business community who came to hear the Honourable William Saunderson, Minister of Economic Development, Trade and Tourism, and Joe Spina, parliamentary assistant for small business, deliver the message on the success of small business in Ontario.

I'd also like the rest of my colleagues to know that these entrepreneurs have a definite connection to my riding of Scarborough Centre. Some live in the riding, some travel to work in the riding, some live and work in the riding, but the bottom line is that each and every one of their cash registers resides in my riding and that is why I felt it so necessary that these small business owners have the opportunity to hear the good news that Minister Saunderson had to deliver about the thousands of new jobs coming to our province.

These are the people who take the risks to open their stores and businesses each and every morning, who put in the long hours, who pay taxes, who create jobs and are truly the engine of Ontario's economy.

After the meeting, one of the small business owners came up to me and said, "I knew your government was doing the right things, but I didn't know the news was this good." It is reaction and comments like this that make me proud to be part of a government that keeps its word, not just for the sake of keeping its word but because it's the right thing to do for Ontario.

Many thanks to Sharon Steele and the staff at LeisureWorld, Scarborough who made the small business breakfast such a great success.

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FAMILY SUPPORT PLAN

Mr Frank Micalash (Kenora): My statement is directed to the Attorney General and it concerns the family support plan.

Minister, last week your colleague the minister responsible for women's issues made a visit to the Kenora area. During a press interview with the Kenora Daily Miner and News, the minister was asked about the closing of the family support plan regional offices in favour of a 1-800 telephone number out of Toronto. Let me quote from the article. This is what the minister had to say:

"I'm absolutely appalled about the way that was handled," minister in charge of women's issues, Dianne Cunningham, said during a luncheon in Kenora. "No one expected we'd have these transition period difficulties."

Now that we have your colleague the minister responsible for women's issues apologizing for your incompetence, women and children throughout the province want to know, will you finally do the same?

Let me continue to quote the minister responsible for women's issues, who had a lot to say about the Attorney General's incompetence. "There are absolutely no excuses for it," the minister said, referring to the Attorney General's bungling of the family support plan. The minister continued by stating that "the government is embarrassed about it and we should be." Again, "the government is embarrassed about it and we should be."

Attorney General, members on this side of the House agree with your colleague the minister responsible for women's issues that the mess you created is an embarrassment to your government. We call upon you to apologize to the women and children of this province.

HOLIDAY MESSAGES

Mr Tony Martin (Sault Ste Marie): I want to take a moment today, since it may be my last chance before the

holidays in this forum, to wish all of my constituents in Sault Ste Marie a happy Hanukkah, merry Christmas and healthy and prosperous new year.

Sault Ste Marie is a wonderful community of people who care and share. The many efforts being made right now to make sure people have a holiday time with food and presents and as much good cheer and happiness as is possible is evident through the efforts of the Christmas Cheer, the Salvation Army, the soup kitchen and church groups and other community groups. We have a very healthy history of responding to major challenges in an honest and forthright and courageous way. Evidence of that is the presence of the Group Health Centre and the continued viability and successful existence of Algoma Steel, St Marys Paper and the Algoma Central Railway.

We are under stress at the moment from both outside and within, but we will rise to the occasion with courage and compassion, and together, as we have in the past, be better and stronger because we have done it together.

On behalf of my community, I wish all of you, and all who call Ontario home, the blessings of this season of light and birth and renewal.

BRAMPTON ECONOMY

Mr Joseph Spina (Brampton North): It gives me pleasure today to inform the House on how our government's economic agenda has helped the city of Brampton.

Since taking office last year our government has taken numerous steps to turn this province around and provide hope and jobs and opportunity. From the reduction of personal income taxes to the implementation of Bill 7, to eliminating the employer health tax for small business and the elimination of over 1,000 needless regulations, all our efforts have proved fruitful for the city of Brampton.

The proof is in the numbers. In 1996 alone, our city has seen a total plant expansion of over a million square feet, an increase in total employment of 6.9%, a rise in residential construction values by 78.3%, a rise in commercial and industrial construction values by 32.9% and 35.3% respectively, an increase in housing resale activity by 31.5% and a 71.1% increase in our housing starts from just one year ago.

Our government's actions over the past year have helped complement the great work that our city is doing, so much so that in 1997 our city is expecting another 235 businesses to start, the creation of 2,500 more housing units and the unemployment rate dropping from 9.2% to 8.4%.

Don't let the opposition critics, negative economic doomsayers, tell you a different story. This government's initiative —

The Speaker (Hon Chris Stockwell): Thank you very much. It's time for oral questions.

Mr James J. Bradley (St Catharines): Mr Speaker, it would be nice to have oral question period, but we don't have any ministers.

The Speaker: Order, member for St Catharines. It's not often I agree with that point, but there is only one minister here.

Mr Howard Hampton (Rainy River): I think we should have a recess if the government is not here to answer questions.

The Speaker: I understand what you're saying. Quite possibly they were caught with how rapidly we got through routine proceedings.

Interjection.

The Speaker: The clock hasn't started. Member for St Catharines, you have a point of order?

Mr Bradley: On a point of order, Mr Speaker: I have the Premier's itinerary here today. It shows him at question period at 1:30, Wednesday, December 11. Unless some unfortunate accident has happened to him, I'm wondering why he wouldn't be here on a very important day to answer questions in this House.

The Speaker: They are all important days, to the member for St Catharines. I have no control over the Premier's schedule, nor anyone else's in this Legislature. I think we can now begin question period.

Mr Hampton: On a point of order, Mr Speaker: We've just been informed the Premier is not going to be here.

The Speaker: That's not a point of order. Time for oral questions.

ORAL QUESTIONS

DISCLOSURE OF CONFIDENTIAL INFORMATION

Mr Dalton McGuinty (Leader of the Opposition): I have a question for the Deputy Premier in the Premier's absence. I want to return to a matter of the utmost gravity relating to a senior staffer in the Ministry of Health releasing highly confidential information in an effort to discredit a private citizen.

Deputy Premier, yesterday when I expressed concern that there was lots of time for the minister's office to be searched and cleaned so damaging evidence could be removed or destroyed, the Premier said, and he offered us assurance, that the offices had been sealed. Keeping in mind that the former minister and his staff first knew there was trouble on Thursday, can you tell me when those offices were sealed and by whom?

Hon Ernie L. Eves (Deputy Premier, Minister of Finance): To the leader of the official opposition, I believe that the acting Minister of Health has that information.

Hon David Johnson (Chair of the Management Board of Cabinet, Minister of Health, Government House Leader): The security provisions of the Ministry of Health call for all confidential information to be secured, and that's precisely what has happened over the weekend. In the case of the office of the individual in question, over the weekend information in his office was boxed and secured.

Mr McGuinty: Let's look at it this way: They knew there was trouble on Thursday, the minister didn't resign until Monday afternoon, the privacy commissioner wasn't called until Monday afternoon, so that leaves plenty of time, plenty of time, for damaging evidence to be tampered with.

What we did is, we checked the security records. We checked the logs. They show that at least 10 people

attended in the executive offices of the Ministry of Health on Saturday. Included at that time were the minister's executive assistant, the deputy minister, image consultant Jan Dymond and at least three outsiders who needed special letters to access the building. Can you tell me, Minister, exactly what those people were doing in the ministry's executive offices on Saturday?

Hon David Johnson: It's not unusual for staff to be working on the weekend. Indeed, I suspect that just about every ministry would have staff working on the weekend.

Secondly, I'd like to say that there is no hint here that any information, any confidential information pertaining to this situation, was shredded or destroyed or otherwise disposed of. What I will reiterate is that the information from the office of the individual in question was boxed and secured on the weekend and remains secured.

1350

Mr McGuinty: I'm not sure what kind of a securing process took place, but we have at least 10 people going into and out of those offices during the course of the weekend. Yesterday the Premier told us those offices had been sealed. We now know plenty of people had access to them before they were sealed. The minister's executive assistant, the deputy minister, a Tory image consultant and three outsiders, at the very least, were in those offices.

In fairness, we don't know if evidence was tampered with, but that's not the issue. The issue is: Can you provide us with every assurance — I'm not sure how you can do that now that we know 10 people have been there — but how can you tell us, how can you assure us unequivocally that no evidence was ever tampered with?

Hon David Johnson: I will simply reiterate to the leader of the official opposition that I have been assured that the information in the office of the individual in question was boxed on the weekend and was secured.

Again, if there are any allegations, if anybody has any evidence of any wrongdoing in the sense of shredding of information, I for one would like to hear it, and I'm sure that the privacy commissioner would like to hear it. This government, I believe at a very early opportunity, has called in the privacy commissioner, an individual who has great experience in terms of dealing with information, confidential information, private information, and has background and experience in this regard. Frankly, I'm most anxious that he get on with his investigation. I understand that he's begun that now, and we're looking to get to the bottom of this matter.

Mr McGuinty: The way to get to the bottom of this is through an all-party legislative committee.

The Speaker (Hon Chris Stockwell): New question. The leader of the official opposition.

Mr McGuinty: My second question is for the Deputy Premier. Yesterday I asked the Premier very directly to release the minister's office log of all requests they'd made for OHIP information and all of OHIP's corresponding documentation. He indicated to me that would be fine. That information can be accessed and Xeroxed in a matter of minutes. Do you have that information for us now?

Hon Mr Eves: To the leader of the official opposition, I don't have details concerning that but I believe that the acting Minister of Health may.

Mr James J. Bradley (St Catharines): You said yes yesterday.

Hon David Johnson: I'm sorry, Mr Speaker, in the hurly-burly here I didn't quite catch the initial part of the question.

Interjections.

Hon David Johnson: Again I would say that is why the privacy commissioner was asked to come in and to deal with this as soon as possible. I will say that yesterday, in the absence of the privacy commissioner, I discussed this matter with the assistant privacy commissioner. I assured her that this government would give the utmost and fullest cooperation in this matter. I would say to the member opposite that any log or any information that the privacy commissioner thinks is important, we'd be happy, to the degree that it's available —

The Speaker: Thank you. Supplementary.

Mr McGuinty: Yesterday the Premier assured me of his cooperation and provided me with that information. It's unfortunate that we're not receiving the same kind of cooperation today. We kind of expected this, as you might expect.

We called OHIP to find out how they deal with requests from the minister's office for confidential information. We were told that this information was available and that the appropriate person would call us back promptly. We received no such call.

Your government has had nearly a week to look into this very serious matter, so I ask you, Minister: Why don't you tell us what the process is with respect to requests for confidential information in your office?

Hon David Johnson: I'm sure the Ministry of Health is more than cooperative in terms of information that it has a request for. My understanding is that if the privacy commissioner is desirous of any information, we'll be more than happy to provide whatever we have in that regard. But in terms of providing information beyond that, there has to be a request, and the request has to meet the parameters of the freedom of information act. This ministry is not able to give out information that it's restricted from giving because of the freedom of information act.

Mr McGuinty: Either the minister doesn't know the answer, which I find astonishing, because I think one of the first things you'd want to do when you get this job is find out what the heck went wrong and what's in place to ensure that it doesn't happen again — all I'm asking about is the protocol. What rules are in place governing the request of confidential information from OHIP? You should know that answer, Minister. Rules are surely in place. I'm only asking you to tell us about those rules, not whether they were broken.

The problem we face is that there are only three people who directly have knowledge of this: Brett James, and we can't ask him questions; Jim Wilson, and he's resigned, so we can't ask questions of him; and the Premier, and he's not here, so we can't ask questions of him.

Minister, once again, what rules are in place right now governing the disclosure of confidential OHIP information?

Hon David Johnson: I have to refer back to the fact that the privacy commissioner is there to do a job. We've

asked him to come in and look at this whole matter. I think this item will be dealt with in the fullness of his study. He will look at this matter to see what rules, if any, have been bent and he will get to the bottom of this. I have assured his office of every cooperation from this government.

The Speaker: New question. Leader of the third party.

Mr Howard Hampton (Rainy River): My question is for the Deputy Premier. We spoke to the Information and Privacy Commissioner, Tom Wright. He confirmed the issues we have raised. He said he does not have the authority to go beyond the Freedom of Information and Protection of Privacy Act, that he cannot subpoena witnesses, that he cannot order people to give evidence under oath and that he cannot subpoena records, logs or notebooks. He said that in order to go beyond his own act and have the investigative powers he needs, you would have to pass an order in council appointing him as head of a public inquiry under the Public Inquiries Act.

To the Deputy Premier, you can remedy the problem you've got here. The privacy commissioner acknowledges that he does not have the authority he needs, the legal tools he needs. But he has pointed out that if you will appoint him under an order in council, under the Public Inquiries Act, he will have those powers of subpoena. Will you do that, Deputy Premier?

Hon Mr Eves: I'd be more than happy to take the matter up with the privacy commissioner. You are telling me second hand, if you will, of a conversation that you had with the Information and Privacy Commissioner. I can tell you that his response to the secretary of cabinet on December 10 was:

"I wish to advise that we will be commencing such an investigation immediately. We will proceed as expeditiously as possible to provide recommendations to the Ministry of Health in accordance with their mandate and the provisions of the freedom of information and privacy act. In my role as an officer of the assembly, I wish to advise you that my report will be tabled in the Legislature and thereby made available to all members of the Legislative Assembly and to any interested members of the public."

I can further go on to say, to the leader of the third party, as I indicated in this House two days ago, that if in fact the Information and Privacy Commissioner feels that he does not have the tools or powers necessary to conduct what he thinks is a proper investigation, then he will so advise the government, and we will take the appropriate steps then.

1400

Mr Hampton: I want to quote from section 38 of the Health Insurance Act. It says, "The general manager and each person engaged in the administration of this act and the regulations shall preserve secrecy with respect to all matters that come to his or her knowledge in the course of his or her employment or duties pertaining to insured persons and any insured services rendered and the payments made therefor, and shall not communicate any such matters to any other person except as otherwise provided in this act," and there is no proviso in the act for an exception based on political expediency.

I would put it to you that just reading this section of the act it's clear there has been a breach of this section of

the act, the Health Insurance Act, by Mr James. All I'm saying is, it's clear we're not dealing with the privacy act; we're dealing with the Health Insurance Act, section 38. All we're asking you is, if the privacy commissioner acknowledges this, will you give him the powers to subpoena, the powers to subpoena records, logbooks, notebooks? Will you give him the power to examine —

The Speaker: Thank you. Deputy Premier.

Hon Mr Eves: The leader of the third party goes pretty far with a lot of conjecture, assumption of fact and speculation as to what Mr James knew or didn't know and what he said or didn't say. This is purely conjecture and speculation on his part. I have every confidence that if the Information and Privacy Commissioner thinks that he is in any way hindered from his duties in conducting a proper investigation and getting to the bottom of this matter, he will so notify the government and apprise it of that, and we will take whatever steps are necessary to make sure that he has that authority.

Mr Hampton: Here's the conundrum we have: Two members of the opposition go to a government office and they take a video camera with them so that the public can see what is going on. Right away this government calls the police. They call the police in because they say they want to protect the security of records.

Here we have a case where, on the face of it, the Health Insurance Act has been breached. The confidentiality provisions of the Health Insurance Act have been breached, and this government doesn't want to give the privacy commissioner the authority to subpoena. They don't want to give the privacy commissioner the authority to examine under oath. They don't want to give the privacy commissioner the power to subpoena records, notebooks, logbooks. What a contrast. What an incredible contrast.

I say to you again, Deputy Premier, all you have to do is to pass an order in council giving the privacy commissioner the authority of an inquiry. Then he will have the subpoena powers and he will have the powers to examine under oath. If you want to get to the bottom of this, that's all you have to do. Why won't you do it?

Hon Mr Eves: To the leader of the third party, first of all, I think you should stick to fact, not speculation on what you wish the facts were or hope they will be or might be. Second of all, to the best of my knowledge, there is nothing to indicate that anyone in the former minister's office requested any confidential information, including the minister.

Mr Bud Wildman (Algoma): How did he get it then?

Hon Mr Eves: We don't know that he had it, I say to the member for Algoma. That's exactly the point.

Interjections.

The Speaker: Order. Minister.

Mr Dominic Agostino (Hamilton East): The minister's out of control back there.

The Speaker: If that's out of control, this place would be empty.

Interjections.

The Speaker: Order, please. Deputy Premier.

Hon Mr Eves: To the leader of the third party, the circumstances in this case are quite similar to a former Minister of Health in your government. On that particular

occasion she chose to resign, and I think she did so very appropriately, for remarks that she, not a staff member, had made. In that particular case your government felt it was quite appropriate and quite proper to refer that matter to the Information and Privacy Commissioner, and he subsequently reported back to the Legislative Assembly. You were quite happy with that when you were a member of that cabinet that made that decision.

The fact that he is an expert in these matters —

The Speaker: Thank you. New question. Leader of the third party.

Mr Hampton: My question is to the Minister of Labour. I'd just say this is incredible. The government says it wants to have an investigation but it won't give the investigatory powers that are needed in order to hold the investigation.

ONTARIO LABOUR RELATIONS BOARD

Mr Howard Hampton (Rainy River): To the Minister of Labour: My question concerns the allegations of cabinet involvement in a political purge of vice-chairs of the Ontario Labour Relations Board. As the minister knows, these allegations form part of the contempt case against Management Board Chair Dave Johnson.

The board recently ruled that none of its members can hear the case because all of the vice-chairs have their own personal knowledge of whether these allegations against the Chair of Management Board are true. To let matters stand, there would amount to a coverup of this whole matter in which the Chair of Management Board was quoted threatening the labour board with retaliation if the government doesn't like the rulings.

I want to ask the minister, what steps will you take to allow a full hearing of these allegations that have been brought against the Chair of Management Board?

Hon Elizabeth Witmer (Minister of Labour): To the leader opposite: Obviously, I'm not able to speak to that situation at the present time.

Mr Hampton: Let me proceed, Speaker, because that was essentially a non-answer.

The situation is serious, Minister. The vice-chair of the labour board who was originally going to hear the Dave Johnson case said in his ruling that he and all other vice-chairs were provided with information about how the decision was made about which four vice-chairs at the labour board would be fired. As it happens, we know from other sources that the labour board sent to the Premier's office and the labour minister's office a list of vice-chairs who might be fired. In return, the chair of the labour board was given political input, telling him which vice-chairs must be kept and which could be axed. This led to unprecedented orders in council from cabinet in October of this year firing four labour board vice-chairs whose three-year appointments had not expired.

Minister, only a fully independent investigation could get to the bottom of this political involvement in the labour board purge. What steps will you take to make sure there is an independent investigation of the Chair of Management Board and his bullying of the labour board?

Hon Mrs Witmer: As I tried to indicate in my response to your first question, as this is still a matter

which is under litigation, I am not in a position to make any further comment at the present time.

Mr Hampton: That's precisely the issue. The labour board has said they can't rule because they know about the shenanigans involving the Chair of Management Board. So they've asked you to name a respected labour board chair or vice-chair from outside Ontario to hear the contempt case against Dave Johnson. The labour board is paralysed by this scandal. You have to do something.

Let me read from an affidavit of Roman Stoykewych. He says that the labour board chair, Rick MacDowell, had identified a group of vice-chairs substantially larger than four in number and that a list of such vice-chairs was forwarded to the Premier's office and to the minister's office for review. Mr MacDowell said that he subsequently received instructions that one of the named persons should not be removed from the board and that the chair was otherwise free to choose from the list which four vice-chairs would be removed.

This is very clearly a case of involvement by the labour minister's office and the Premier's office in a political purge of the labour board. We have seen in the health minister's office what this government is capable of. Will you support an independent inquiry into this case, Minister?

Hon Mrs Witmer: I am aware of the ruling. I am aware of the situation. However, I would indicate to you again that since this is the subject of litigation, it would be inappropriate for me to make any further comment at this time.

1410

DISCLOSURE OF CONFIDENTIAL INFORMATION

Mr Dalton McGuinty (Leader of the Opposition): My question is for the Minister of Health. A few moments ago, I asked the minister if he had some understanding, if he could tell us what the rules are governing the request for and release of confidential OHIP information. It became perfectly clear that he does not have any understanding of what those rules might be. This, of course, is incredible, given the Martel affair and now the Wilson affair, the fact that two short days ago the Minister of Health stood up in this House and indicated that he was resigning because there had been a release of confidential OHIP information.

I want to give the Minister of Health another opportunity now to tell us what those rules are governing the release of and the obtaining of confidential OHIP information.

Hon David Johnson (Chair of the Management Board of Cabinet, Minister of Health, Government House Leader): I think it's well known that if any member of a minister's staff requests the information, they must go through the deputy minister, and the deputy minister must ascertain if the request is in the public interest before it's released. I think that's well known by —

Ms Frances Lankin (Beaches-Woodbine): The minister has to be informed. Add that.

Hon David Johnson: The minister has to be informed. The deputy minister has to indicate whether it's in the

public interest. I have been assured by the deputy that there has been no such request made in this regard.

Mr McGuinty: As I understand it then, the only way that Brett James could have got this information was to have made a request — someone would have had to make a request through the deputy minister. Furthermore, that request would have to have been characterized as being in the public interest.

Are you telling me now that the reason Brett James had that information was because he followed those channels, since that's the only way we can get hold of that, that somehow a request had been through the deputy minister and this had been characterized as being in the greater public interest?

Hon David Johnson: I'm saying no such thing to the Leader of the Opposition. The request was with regard to the policy. I think it's a policy that's fairly well known, and the policy simply states that if confidential billing information is to be released, the deputy minister has to have the request and the deputy minister has to determine whether it's in the public interest or not to release this information, and the deputy minister has indicated that no such request has been made.

We don't know in this case. If the member opposite has some specific information or is making a specific allegation about specific information, then that would be helpful rather than just fishing, I guess. That would be helpful. I'm sure that the privacy commissioner would love to know that information. We'd be very happy to obtain that information, and I would say to the member opposite, please reveal his information.

The Speaker (Hon Chris Stockwell): New question.

Mr David S. Cooke (Windsor-Riverside): I have a question to the Minister of Health. Minister, I think in regard to the question that the Leader of the Opposition has just asked, we could all be helped if you would in fact give us a document called the security policy manual.

Yesterday our staff phoned the Ministry of Health and asked for a copy of that particular document, because it's obviously clear that something hasn't been followed in government policy. My staff requested the manual. Interestingly enough, the ministry officials in Mowat Block knew nothing about the manual. The ministry officials then contacted people in Kingston so that they could, as they said, track it down. Then the staff indicated to our staff that they had faxed to them the 80-page manual, to the Mowat Block, and then they told us we couldn't have access to it unless we filed a freedom of information request.

Minister, if the public is to believe that this is going to be a clear investigation and that the public is going to have access to information, why are your ministry officials putting roadblocks in front of members —

The Speaker: Thank you. Minister of Health.

Hon David Johnson: To the member opposite, this request is being reviewed. However, bear in mind that we're talking about a security manual with a limited audience. There are only certain people who have access to this document, to this security manual, because the security manual controls the computer system, controls the data files. It is very relevant and is a secure document

with regard to all of these features. I think you would feel it would be very unwise of the staff to release this to a broader audience when the contents of the security manual may be used to breach security procedures, to put in jeopardy the very information we're so concerned about, and legitimately so.

Mr Cooke: When I spoke to the deputy minister a couple of hours ago, we had a discussion about those particular concerns. The suggestion I made, which I think is — dare I use the phrase — a fairly commonsense suggestion, would be that those particular sections be blacked out and the relevant sections of the manual be released to members of the opposition.

Is the minister telling us today that he will in fact make that document available and release it publicly so that people can begin to understand what went wrong and why confidential information was used politically to try to smear a doctor?

Hon David Johnson: Again, there is a situation here of a judge and jury etc. Bear in mind we have a process in place. We have a privacy commissioner who is looking into all aspects of this, and I would suggest that all members of this House may want to see what the results of his investigation are.

Directly to the question the member is interested in, the member's request is being reviewed with an eye to the suggestion he's put forward, and I will endeavour to contact the member opposite to see whether or not that's possible. That may be a possibility. We may be able to black out certain sections that would breach security, and propel the member's request. I'll get back to him on that.

GAMING INITIATIVES

Mr Tim Hudak (Niagara South): My question is to the Minister of Economic Development, Trade and Tourism. First, I'd like to congratulate the minister on a very successful grand opening of Casino Niagara this past weekend. Many of my own constituents were in attendance. I'm very pleased to say that over 3,000 jobs have been created in the area, throughout the peninsula, not only in Niagara Falls but Fort Erie, Port Colborne and Wainfleet as well.

My question pertains to a question a number of my constituents have asked me, namely, Mike Sansano and Les Tapolczai who have written to me. The question to the minister is, can he tell the House what is behind the thinking on banning the games of dice in casinos?

Hon William Saunderson (Minister of Economic Development, Trade and Tourism): In response to the question from the member for Niagara South, I would just like to say that what is behind the thinking is a little bit of a history lesson. If I might indulge the House for just a minute to tell you that King Richard II banned dice games back in about 1380 in England. He ruled that it was bad form for his archers to be gambling with dice rather than practising archery.

Interjections.

The Speaker (Hon Chris Stockwell): Order, order. Minister.

Hon Mr Saunderson: Mr Speaker, I'll just go on with this. Last week it was a suggested lesson in political

democracy of Buzz Hargrove. I'd like to complete the history lesson if I could. In 1553 King Henry VIII gave the law his royal proclamation. In the 1920s the federal government in Ottawa outlawed all dice games. Now Canada remains the only industrialized country that does not allow dice games, because of federal government legislation.

1420

Mr Hudak: In addition to Casino Niagara, Casino Windsor is on the border of the United States. I understand that Michigan is moving in the direction of —

Interjections.

Mr Hudak: Thank you. I appreciate that. I understand that Michigan is moving towards casinos in Detroit and New York state as well. They've been looking in that direction. My question as a supplementary to the minister is: What effect does a ban, a prohibition, on dice games have on the success of casinos on the border in Ontario?

Hon Mr Saunderson: In regard to the supplementary question from the member for Niagara South, first of all we have found, and been told, that when US gamblers are considering where to go in the future, they will go where dice games are allowed, and that will hurt the revenue for Ontario's taxpayers and would reduce the economic benefit we're obtaining from the casinos. We feel that dice gambling is necessary to help our border cities compete with future casinos that will be built in those areas. Therefore I intend to pursue correcting this situation by working with the Attorney General, Mr Harnick, and the federal justice minister, Mr Rock, to amend the relevant federal government legislation.

DISCLOSURE OF CONFIDENTIAL INFORMATION

Mr Gerry Phillips (Scarborough-Agincourt): My question is to the Minister of Health. We are all concerned about the possible destruction of evidence. We know that Mr Brett James had access to confidential information. We know that the files of this former staff member of Premier Harris, now working for the Minister of Health, you've indicated, have been secured and sealed. We're also worried about other files in the Ministry of Health offices. Can you assure the House that the minister's office has been similarly secured and that there's no access to that office?

Hon David Johnson (Chair of the Management Board of Cabinet, Minister of Health, Government House Leader): The former Minister of Health was here yesterday. I can assure the member opposite that since his departure that office has been locked.

Interjection: Monday.

Hon David Johnson: Monday. Since Monday that office has been locked.

Again there are a certain number of assumptions the member is speculating on with regard to confidential information. To the degree that the opposition indicates this is a fact when they don't know that as a fact, when they don't know what sort of confidential information was available, I think we should reiterate that the privacy commissioner will do a thorough study, a thorough investigation into that matter. We have assured, I have

assured personally, the utmost cooperation of this government to get to the bottom of it. We want to get to the bottom of this situation. We want to make sure that confidential information is treated with the utmost respect.

Mr Phillips: Let's be very clear. Mr Brett James could not have been clearer in reporting to the Globe and Mail reporter. When asked where he got the information, "Was it from the OHIP files?" he said yes. We now know this: For him to get access to those OHIP files, the minister had to have known that he was applying for it. We now know he had that information, according to Mr Brett James and the reporter. So there is only one conclusion you can reach if you follow that to its logical conclusion: Mr Brett James, a trusted adviser who formerly worked for Premier Harris himself, obviously with a good deal of confidence from the Premier, the only way he could have got that information was by applying to OHIP, and OHIP can only provide that if the minister agreed to it. What other conclusion can we reach then, but that the Minister of Health had to have known that the information was provided to Mr Brett James? What other possible explanation is there for that?

Hon David Johnson: I think there's a due process. This is the country that we live in, a democratic country with due process. We do not play judge and jury and executioner at the same time.

If the member opposite has information which he would like to divulge, specific information, I'm sure the privacy commissioner would be happy to have it. If the member opposite wants to play judge, jury and executioner, that's his right, I suppose. But I think most people in the province of Ontario would say, "Get on with the investigation," and that's exactly what we're calling for. We've called the privacy commissioner to do the investigation. I personally have talked to the assistant privacy commissioner in the absence of the privacy commissioner and I'm assured utmost support, utmost cooperation. I would hope we would allow that process to take place and get to the bottom of this matter.

The Speaker (Hon Chris Stockwell): New question, third party.

Mr Bud Wildman (Algoma): I have a question for the Minister of Health. Public confidence in our health care system depends on the public being assured that their health care records are secure and indeed are confidential. Would the minister agree that it was reported in the press that the assistant to the former minister telephoned a reporter, indicated information about Dr Hughes's billings, and indicated that that information would have to come from OHIP records?

Since the minister has said he wants to get on with the investigation, if he agrees with that, does he also agree that medical information is protected under a number of statutes: the Health Insurance Act, the Public Hospitals Act, the Independent Health Facilities Act and the Ontario Drug Benefit Act? If he agrees with that, why is the government attempting to limit the investigation of Mr James's actions to a contravention of the Freedom of Information and Protection of Privacy Act?

Hon David Johnson: This government, by contrast to some previous governments, has taken immediate action.

I think it's to the credit of the former Minister of Health that he took immediate action. The individual involved took immediate action. The government has called in the privacy commissioner for immediate action. We have expressed our fullest cooperation to the privacy commissioner.

I believe, frankly, that everyone in this House — and I haven't heard anything to the contrary — has confidence in the privacy commissioner. I would hope we'd have the confidence to the level that if the privacy commissioner felt in any regard that the powers which he has limited his ability, that there were any impediments to his investigation, he would step forward and he would tell the members of this House: "I have done what I can do. Now I recommend that further actions be taken." I can tell you that if he does that, this government will respond accordingly.

Mr Wildman: We have every confidence in Mr Wright's integrity and ability as well. We also have every confidence in what he told us this morning, that he does not have the mandate to investigate these other statutes and any contravention of those statutes.

Keeping that in mind, why is this government, whose minister says they want to have an investigation, they want to get to the bottom of this, not prepared to give an order in council expanding the mandate of the privacy commissioner so that there is a public inquiry held by the privacy commissioner to find out how it was that billings information could be obtained by the minister's office staff, and this information would have to be collated with other billings to determine if Dr Hughes was the top biller —

The Speaker: Put the question.

Mr Wildman: Why is it that the minister is not prepared to approve, to recommend to his cabinet, an OIC to expand Mr Wright's mandate so that he can properly investigate all of these acts?

1430

Hon David Johnson: The importance of the confidentiality of billing information, the importance of the protection of confidential information of our citizens in general, whether it's medical information or whatever type of information, is of utmost importance to this government, and this government has initiated studies and steps to ensure, particularly in the health area, that this information be protected.

Having said that, if the privacy commissioner comes forward and officially says to us, through the proper channels, either that he needs more authority or that there should be some other kind of investigation or that he's impeded in any way in terms of his investigation, then I can tell you that this government is most anxious to hear that message and to act accordingly. But in the first instance, we the government feel, and I think the members of the House should feel, that the privacy commissioner, with his experience in this field, would be the right individual to start the study.

AGRICULTURAL INDUSTRY

Mr Ernie Hardeman (Oxford): My question is to the Minister of Agriculture, Food and Rural Affairs. Like he,

I campaigned on the Mike Harris Task Force on Rural Economic Development, and I'm proud to say that we as a government can take credit for a long list of accomplishments which will benefit rural Ontario.

But there's one commitment that we have not yet kept, and that is the one on page 10 of the task force report, which reads as follows:

"A Mike Harris government will introduce amendments to the Farm Practices Protection Act" — more commonly known as the right-to-farm bill — "to ensure that farmers retain the ability to operate without fear of nuisance lawsuits. We will work with all major farm organizations to produce amendments which will be fair and reasonable."

Could the minister tell me when he intends to keep that commitment?

Hon Noble Villeneuve (Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs): I want to thank the honourable member for Oxford for his question. It's a very important item and one that is going to come before this House in the near future. Having been involved in the agrifood industry for as long as I have, I know that it's important for farmers to be able to produce food without being challenged in some nuisance court cases. We have to protect farmers and their ability to do what they do best, which is producing food to satisfy the needs of 11 million Ontarians and indeed to feed the world. This will be coming forth in the near future.

Mr Hardeman: As the minister is probably well aware, the agrifood industry has been asking for such changes to the act for some time. Specifically, they would like to see the act broadened beyond noise, odour and dust to include, among other things, smoke, light and vibrations. They'd like to see an appeal mechanism for restrictive bylaws and guidelines or standards on what constitutes a normal farm practice. Could the minister tell us how he intends to ensure that these concerns are addressed?

Hon Mr Villeneuve: We intend to consult extensively the agrifood industry, the food producers of the province. Over the next two months, the parliamentary assistants to the Minister of Agriculture, Food and Rural Affairs, the member for Lambton and the member for Hastings-Peterborough, will be travelling the province listening to the concerns of the food producers and what sort of legislation they want to see in place.

We also invite all of the different commodity groups, the Ontario Federation of Agriculture, the Christian farmers, the l'Union des cultivateurs franco-ontariens and the Rural Ontario Municipal Association. We want to receive all of the information that they have in order to make sure that this new legislation will protect farming and food production.

DISCLOSURE OF CONFIDENTIAL INFORMATION

Mr Sean G. Conway (Renfrew North): My question is to the Minister of Health. I have been listening very carefully this afternoon to your several answers and those of the Deputy Premier on the Brett James-Jim Wilson

affair. I want to come back to the basic issue. We have last Saturday's *Globe and Mail*, in which a senior political aide to the then Minister of Health, Mr Brett James, tells the *Globe and Mail* two things. On his own volition, Brett James late last week phoned the *Globe and Mail* reporter and said, first, "I want to tell you that Dr Hughes, the Peterborough cardiologist, is the number one OHIP biller in the province," and second, "I, Brett James, senior political aide to the Minister of Health, Jim Wilson, believe that information to have come from OHIP files."

The Minister of Finance and the Minister of Health tell the House today, "We have no reason to believe there was any sensitive or confidential information out there." Well, if Brett James didn't get that information where he said he got it and it wasn't of the kind he said it was, where in hell did he get it?

Hon David Johnson (Chair of the Management Board of Cabinet, Minister of Health, Government House Leader): That's precisely why we stepped in at the first opportunity and asked the privacy commissioner to come forward and look at this matter. I guess the government could have undertaken its own internal reviews, could have stalled, but this government decided to take action. This government said, "What we need is to look into this matter to determine what confidential information that shouldn't have been available was available, if any, and how it was used," etc, all of these questions; to appoint a third party, a third party who's respected, a third party who has experience in dealing with information: the privacy commissioner. That's precisely what the government did at the first opportunity. I, for one, hope, and this government hopes, that the privacy commissioner is able to get on with it, get to the bottom of this and answer all the questions.

Mr Conway: I am more interested in what your government did last week, and what your government did last week is the following: A senior political aide to the Minister of Health picked up the phone, called the *Globe and Mail* and said: "I've got news for you. I can tell you that Dr Hughes is the number one biller to OHIP in the province, and I believe that information came from OHIP files."

Have you any reason to believe, Minister of Health, that last week Brett James was lying, that Jane Coutts got it all wrong in the Saturday paper, that Jim Wilson was hallucinating, that these protocols you brag about this week were nowhere in place or in force? Where did Brett James get that information, which information he set out to use in a premeditated way, in a prejudicial and smear-like way against an innocent Ontario doctor?

Hon David Johnson: First of all, was information used entirely inappropriately? According to the press reports, no question about it, and the Premier stood in his place yesterday and said precisely that. As a result, the individual involved resigned immediately, the Minister of Health has taken the honourable route and has resigned, and as a result, this government has asked the privacy commissioner to stand in.

We can play judge, jury, executioner, we can make up the facts, we can speculate, we can look into the crystal ball, we can say how did this happen or how did that

happen. Why don't we let the privacy commissioner, an individual who is experienced in these matters, do his job? Why don't we let him investigate? Why don't we let him report back to us and get to the bottom of this situation?

Mr Gerry Phillips (Scarborough-Agincourt): Brett James told you one minute after you asked him, and you won't tell the truth.

The Speaker (Hon Chris Stockwell): Member for Scarborough-Agincourt, you have to withdraw that.

Mr Phillips: I withdraw.

The Speaker: New question, leader of the third party.
1440

Mr Howard Hampton (Rainy River): My question is for the Minister of Health. Minister of Health, in our conversations with the privacy commissioner, he has acknowledged to us that he has only limited powers under the Freedom of Information and Protection of Privacy Act. He has acknowledged that he does not have the power to subpoena witnesses, he does not have the power to order evidence under oath, he does not have the power to subpoena records, logs or notebooks. He also acknowledges he has no powers under the Health Insurance Act, the Public Hospitals Act, the Independent Health Facilities Act, the Ontario Drug Benefit Act, and we believe these pieces of legislation were in fact the laws that were breached.

I want to confirm with you: Did I hear you say earlier today that if the Information and Privacy Commissioner asks you for an order in council appointing him to a public inquiry, with the power to subpoena evidence, with the power to subpoena the presence of people, with the power to take evidence under oath and with the power to subpoena logbooks, notebooks etc, did I hear you say that if he asks for those things you will in fact ask for such an order in council to be granted?

Hon David Johnson: First of all, the leader of the third party indicates, "We have evidence of this, we have evidence of that" etc. I'm not so sure what evidence we have. That's what this whole investigation is about. Has the privacy commissioner indicated that he's unable to do this investigation? Has the privacy commissioner said he's unwilling, that he's impeded in any way? I think we should let the privacy commissioner do his job.

What I've indicated is, if the privacy commissioner comes forward and indicates that, for whatever reason, he is unable or impeded in doing his job, then I can assure you this government will take whatever steps are possible and necessary to get to the bottom of this situation.

Mr Hampton: I heard a lot of mumbo-jumbo but I didn't hear the key words. If the privacy commissioner comes forward and asks you for an appointment under the Public Inquiries Act, asks you for the power to subpoena the presence of people, the power to subpoena notebooks, logbooks and records, asks you for the power to take evidence under oath and asks you for the power to conduct his work not only under the privacy act but also with respect to the Health Insurance Act, the Public Hospitals Act, the Independent Health Facilities Act, the Ontario Drug Benefit Act, if he asks you for those powers, yes or no, will you immediately grant him those

powers under the Public Inquiries Act so that he can do his job?

Hon David Johnson: Again, to put this in context, there has been no such request or communication from the privacy commissioner. The privacy commissioner has certainly not expressed any impediment to his job, any restriction on his job —

Mr Hampton: Coverup, coverup, coverup. That's exactly what it is, a coverup.

Hon David Johnson: Over the shouting and the bullying from the leader of the opposition party —

Mr Hampton: On a point of order, Mr Speaker: If I said something that offends the Minister of Health, I'll say it again: coverup.

Interjection.

The Speaker: Member for London North, it's not unparliamentary to say "coverup."

Hon David Johnson: It may not be unparliamentary but it shows an extreme lack of confidence in the privacy commissioner. I will say that I do not share that lack of confidence.

Mr Hampton: No, we want him to do his job.

Mr Bud Wildman (Algoma): It's not the privacy commissioner who is covering anything up.

The Speaker: Order. We're going to get to the answer on this one.

Interjections.

Hon David Johnson: I'll reiterate what I said previously. There may be different ways of dealing with this if the privacy commissioner feels that he is unable to deal with it, and that's a big if, because I think he will be able to deal with it. There may be the legislative committee route, for example. I assure you that this government wishes to have all of the questions answered on this issue and we will take the appropriate steps if the commissioner comes forward and suggests that he is unable to complete the investigation.

The Speaker: New question. The member for Timiskaming.

Mr David Ramsay (Timiskaming): I have a question for the Minister of Health. I would like to ask him, since he has been minister for —

Interjections.

The Speaker: Order. Just a minute. Members on the government side, I called twice. The member didn't stand. The member for Timiskaming was up, and I called on the member for Timiskaming.

Interjections.

The Speaker: I don't want to hear any more. He wasn't up. You can continue to point all you want, Minister of Citizenship and Culture. I looked twice, because he was up previously and I knew it was that member, and he didn't get up. The member for Timiskaming.

Mr Ramsay: Thank you very much, Mr Speaker. I have a question to the Minister of Health. You've been Minister of Health now, along with your other —

Mr Terence H. Young (Halton Centre): On a point of order, Mr Speaker: It's extremely difficult to hear in the back row here of the rump of the PC Party with the noise and the yelling and the caterwauling that's going on.

Interjections.

The Speaker: You know, there are some people who may applaud the fact that it's noisy in here but, to the member for London North, it's difficult sometimes to hear the questions from both sides of the House heckling. I appreciate the fact you're a great distance away. I called it twice as loudly as I could and I knew you were next up because you stood earlier. I understood you couldn't hear me. I could only call it as loudly as I did twice. I'm trying to maintain order. Today was particularly difficult. The member for Timiskaming.

Mr Ramsay: Thank you very much, Mr Speaker. I have a question to the Minister of Health. You have been the acting Minister of Health now for about 48 hours, and I would take it in the normal course of events you would meet with your new staff. I was wondering if you could assure us today in the House that you have asked and have assurances from your new staff, or any existing political staff that you may have inherited from the previous minister, that they have never been in possession of similar confidential OHIP information last week or have that information with them this week.

Hon David Johnson: I have discussed this matter in general with the staff. There are policies and procedures with regard to confidential information. I have been assured that all of the staff are aware of the rules and procedures and requirements of ministry staff procedures and they have obeyed those procedures.

1450

MOTIONS

HOUSE SITTINGS

Hon David Johnson (Chair of the Management Board of Cabinet, Minister of Health, Government House Leader): I move that notwithstanding standing order 96(a), the House will meet in the morning of Thursday, December 12, 1996, from 10 am till 12 noon for the consideration of government business with routine proceedings to commence at 1:30 pm.

The Speaker (Hon Chris Stockwell): Is it the pleasure of the House that the motion carry? Debate?

Mr James J. Bradley (St Catharines): Our concern with this motion is that subsequent to discussions about this motion being dealt with, we have had another motion that has been forthcoming from the government, and that motion indeed has dealt with the sitting of the House next week and the sitting of the House in January. While this, without that motion, would seem to be a very sensible motion because this has happened in previous years and I think we in opposition and in government have seen this motion and there seems to have been a consensus developed on this motion, what has happened subsequent to this motion being considered by the three House leaders has been a new motion from the government, one that would indeed call upon members of this Legislature to deal with government legislation next week, which is something that we in the opposition have been prepared to do. It has been the position of the opposition as well that we are prepared to sit in January. In fact, we antici-

pated this. I remember the Minister of Labour and I had a brief discussion about the fact that we anticipated the House would be sitting in January.

So what's happened subsequent to this particular motion, and I find that most unfortunate, is that the government seems to have changed its position from wanting to extend this session of the Legislative Assembly of Ontario into 1997 — this being the fall session of 1996 — to a new position which is commencing the new session, or the spring session, of the Legislature on January 13. This makes us apprehensive then to proceed with a motion of this kind.

We were hoping that upon reflection and upon seeing the amendment that the official opposition has submitted on a previous motion, the motion we dealt with last night, the government would be saying they would agree with that particular amendment and we could proceed expeditiously with a number of pieces of legislation. What's happened instead is that the government has now said it intends to continue on in January, but with a new session.

As we've expressed on many occasions, we think it's a good idea to deal with matters left over from the fall session in January and in February, but what we are concerned about is that it be the start of a new spring session. So all of the consensus that develops around this kind of legislation begins to evaporate, as you would understand — I know you have been in this position in opposition — when we see the government moving in another direction.

I was hoping today and I still hope today that we would see the government in a position to indicate to the opposition that they are prepared to accept an amendment, an amendment which says we shall continue the fall session, or perhaps another amendment that might be presented by the New Democratic Party, because they have given an indication that they would be presenting an amendment as well. So the business of this House tends to be somewhat chaotic when we get into these circumstances.

The Speaker: Order. I ask the members who are involved in meetings and discussions to take them to the west and east lobbies. It's very difficult to hear these points that are being made by the member for St Catharines. That includes this crowd back here as well, if you could also take this meeting outside, please. Thank you very much.

Mr Bradley: Thank you, Mr Speaker. It's important that members of the House hear the points of view that are being expressed on this motion that Mr Johnson, the government House leader, has moved.

As I say, I think the problem is that this looked like a good idea earlier in the week. Earlier this week this looked like a very good idea, and perhaps it will be a good idea, but what we are concerned about is that subsequent to this happening, and the minister smiles over there, we have seen a motion come in from the government which says the government wants to start a spring session on January 13 and that the House is going to sit next week. So we begin to wonder why it would be necessary then to do this, if that's the case, if the House is going to sit next week in any event, and we're delighted to see that happen. If the House is coming back

on January 13 to deal with legislation which we would hope would be from the fall session, then one has to wonder why we are in a position of forgoing the private members' hour on Thursday morning.

I'm not ruling this out, however, because I know at this time of year the House leaders and whips are able to come to some agreements. The member who is the chief government whip smiles. He knows this to be the case. He knows how reasonable people can be in circumstances of this kind, and I know that the government wishes to expedite its legislation. I understand that.

We have some important legislation at present on the docket to be dealt with by this House and on a Thursday morning this would have provided for an additional two hours to deal with legislation. I think, for instance, of the Boxing Day legislation, which I personally am opposed to but it has already passed second reading and simply requires third reading. I think of Bill 84, in which we are engaging in a full and frank debate. I think of Bill 57, which is reaching its somewhat final stages. I think of Bill 52, which has to be dealt with appropriately. There are a number of pieces of legislation that I understand the government wishes to proceed with, and I certainly am not one who wants to see important legislation that has developed somewhat of a consensus not proceeding.

I'm concerned now that the government has a new agenda, an agenda which it hasn't really announced, and that agenda is an agenda which wants the government to introduce new legislation. It wants the government to get around the rule, that rule being that in the final eight sitting days of the Ontario Legislature, the government cannot introduce new bills to be discussed for second and third reading. It can introduce those bills to put them on the docket; it cannot proceed with those bills for second and third reading.

I see that the government will now be bringing in further legislation. It probably wants to have what they would call a prolonged spring session so that there will be an intercession that is relatively brief and the government can wrap up all of its controversial legislation before the summer, instead of having it go through the proper stages of this House whereby we would likely see the final stages of major, comprehensive bills which might be contentious in this House in the fall of 1997.

I know what the government's agenda is. I know why the government wishes to proceed in this direction. I shouldn't say I know; I speculate that is the government's intention. That is why I'm looking for some guidance from the government in this case on why it would be that this is a relevant resolution now. Perhaps it isn't, perhaps it is.

I'm prepared to be somewhat flexible on this; I'm hoping we would see some flexibility on the part of the government. My friend from St Catharines-Brock would know that indeed the opposition is prepared to be cooperative when there's legislation before the House that has developed a consensus. The member for Lanark-Renfrew is here and he has some considerable experience. He's watched this evolve. He would know, as I know, that when the government brings in a bit of surprise — baseball would call it a sweeping curve ball coming in — that makes us think a little bit that perhaps what we tried to agree to last week is coming unravelled.

1500

I will be interested in what the government House leader has to say, because I know he's a fairminded individual to deal with on these matters, and I'll be interested in hearing what the third party has to say on this resolution so that we can determine whether this motion should be dealt with this afternoon.

As I say, a lot of good can come of an additional session. I am delighted to be here in the Legislature next week. Most of my constituents would expect that we would be here dealing in some detail with important legislation. I know that government members would want the opposition to carefully scrutinize the legislation and perhaps bring to the attention of the Premier and members of the cabinet some of the concerns that even backbenchers or those outside the cabinet have about legislation, just as we were able to do with video lottery terminals, which the government intends to put in every bar and every restaurant on every street in every neighbourhood in Ontario. Today, of course, we heard a member floating the idea of crap games being held in casinos, where they're throwing the dice down. That's where you really see the hard-core gambling taking place.

Anyway, I see the government moving in that direction. So you know why we're apprehensive. The government House leader knows why we're apprehensive when we see this kind of agenda unfolding. Far be it for me to look at motives that the government might have, but I suspect what the government is all about today is wanting to deal with its resolution, wanting to sweep it through the House even though it's had so little debate, so little consideration. No doubt the government would like to ram that resolution through the House.

We in the opposition know how little debate it has had and how little real consideration, and we are therefore concerned that the government will simply stampede everything. Even members of the government caucus are concerned, and I know there are some who are concerned, about the pace at which the government is moving, how drastically the government is moving, how it's not consulting appropriately with individuals, how it's not looking at the impact of its legislation. I know there are people on the government benches, because I know there are some good folks on those benches, who have those concerns. We in the opposition want to help you out.

We are very pleased to try to help out members on the government benches who I know, particularly when there's a vacancy in the cabinet, will not want to dissent too much from what the Premier wants, because what you find is a number of rather interesting speeches that are forthcoming from members when they think there is going to be a cabinet shuffle, as apparently there must be as a result of the resignation of the Minister of Health as a result of what we in the opposition perceive to be a smear campaign being conducted.

All of this is relevant to this motion — all of this. The Speaker knows it. I see the Speaker nodding. He knows that this is the case. I know some of the members of the opposition agree with this.

Mr John R. Baird (Nepean): I didn't see him nod.

Mrs Marion Boyd (London Centre): He was nodding off, Jim.

Mr Bradley: The member for Nepean is nodding off, he says, at this time. I know the hours have been late, but I can't believe that the member for Nepean would be nodding off at this time of day. I assure his constituents that he is not. I want to assure them of that in case some of them happen to be watching.

Mr Baird: Correct the record, Jim. I am not. Be honourable, Jim.

Mr Bradley: I did. Naturally I said the member is not nodding off. I said that for your constituents. That's twice I've said it now, so he can send both Hansards back to anyone who phones his office or writes a letter to him.

Mr Tom Froese (St Catharines-Brock): They will never get Hansard.

Mr Bradley: That's another question we have to look at, the fact that they can't get Hansard any more, so that is a problem. As of January 1, the average ordinary person out there who had a subscription to Hansard can no longer get that. They must now own — and perhaps you do, Mr Speaker; I don't — a sophisticated computer that's on the Internet if they are to get Hansard.

Mr Froese: They will never get Hansard; 200 people —

The Deputy Speaker (Mr Gilles E. Morin): The member for St Catharines-Brock, would you please refrain from heckling. It's a bit too much noise. I can't hear.

Mr Bradley: I'm trying to speak as loudly as I can because there has been a din on the other side while I've been speaking. The member for St Catharines-Brock, however, was not rudely interrupting at all. He was merely trying to call to my attention some important items.

We have to know how bills go through this House, I think, if we are to know whether this resolution is applicable.

First of all we have a bill that is introduced for first reading. There isn't a debate in first reading; it's just introduced. Normally there's not a vote, although on certain contentious issues you have seen a vote on first reading.

Then we have second reading, which is a pretty comprehensive debate. A second reading debate takes a little longer because we debate the bill in principle, and the Speaker on that occasion, whoever happens to be in the chair, exercises good judgement to allow latitude at that time for the purpose of canvassing all the issues related to that bill. That's an important part because that's where the public begins to see what is happening, begins to understand the implications of a bill, particularly a bill the government is trying to rush through, such as the bill on video lottery terminals, which they finally passed.

Then we have, ordinarily, committee of the whole House. That's where amendments can be made, often brought by the government itself. That is followed, subsequently, by public hearings or perhaps they take place before that. There were people, for instance, who had something to say about a number of issues. I think of Bill 26, last year at this time. We forced the government to have hearings in January, where we went around the province with committees and heard from people. As a result the government brought forward a large num-

ber — over 100, I think — of amendments to that piece of legislation. That's why we need that significant intercession: to have those hearings, to have the ideas come forward for the government and for the opposition and perhaps incorporate them into legislation.

Then we have third reading. Sometimes third reading is very quick. Sometimes we proceed in a very rapid fashion because it's a non-contentious bill, it has a consensus developed around it, it's one the opposition parties agree with and that the public would find beneficial. That is third reading.

Sometimes that doesn't happen because the opposition feels, on third reading, that there are compelling reasons why the government should not proceed with that bill. That's usually when the government has ignored many thoughts, good ideas, that have been forthcoming from the general public. As all of us know, not all good ideas in Ontario originate or reside in the provincial Parliament — that will not surprise the people in St Catharines or other communities — so we have those hearings and hope those ideas are ultimately reflected in the legislation the government finally brings forward. When it doesn't reflect them, we find a more significant third reading debate.

Members must know, and this is again related to this, that in the last eight days of a session in June or December, that is, at the end of the fall or spring session, the government is not entitled to introduce new legislation to be debated for second and third reading. They can introduce it but they can't have second and third reading.

My good friend who is now the Minister of Finance, the former government House leader, former House leader of the Conservative Party in opposition, made a compelling argument. Just as I was persuaded by his arguments on video lottery terminals and how they were bad for the province and by his speeches on other forms of gambling, I was persuaded when he said, "Listen, if there's one problem we encounter in this House we have to deal with, it is the problem of government bringing in major legislation right at the end of a session and wanting to deal with it rapidly and not have the kinds of hearings and debate that we deem to be appropriate," and that is where our concern arises.

1510

The motion itself is rather innocuous. This is not a tricky motion. The government is not trying to trick anybody with this. The government is not trying to fool anybody with this. This is a very innocuous motion and ordinarily wouldn't even be debated. At this time of year you find there are debates that arise on motions of this kind.

Mr Baird: Why?

Mr Bradley: The member for Nepean asks why, and there is a reason why. It's because the government brought in a motion subsequent to this. I know the House leader and whip for the New Democratic Party and for the Liberal Party are both perturbed by one word in that motion and that is the word "spring," "new spring session." If you take out the word "new" and take out the word "spring," that would be fine, or if the government wished to prorogue, it could do that. If the government wishes to prorogue, that is, end a session, have a new

speech from the throne and away it goes, we could understand that. They're entitled to do that, and we'd be prepared to debate the legislation that comes forward.

My friend the member for Wellington, who has been in this House a long time, I know would probably — I shouldn't say, "I know" — I speculate would probably, were he sitting on this side, express the same concerns that I am expressing about a spring session that would commence on January 13. He'd be wondering what would be the hurry with legislation that requires a lot of thought.

The member for Grey-Owen Sound, who is here this afternoon — he wants me to say that so he can send the Hansard back to his constituents — and he is here this afternoon, and that member would know —

Mr Marcel Beaubien (Lambton): He is here every day. He is dedicated.

Mr Bradley: Well, he might well be that, and now Mr Beaubien will get in Hansard as well; he's here this afternoon. They are many times.

What I am saying is, I think the member for Lambton and the member for Grey-Owen Sound are the kind of members who must be worried at the pace at which this government is moving.

Mr Garry J. Guzzo (Ottawa-Rideau): Not fast enough.

Mr Bradley: The former judge of the Ontario Court says in fact —

Mr Baird: Ottawa-Rideau.

Mr Bradley: The member for Ottawa-Rideau says that it's not moving fast enough. Well, I think he should go down to Sarnia and Lambton and tell the people who are having their hospitals closed whether the government's moving quickly enough or not. I suspect in St Catharines, as in Sarnia and Lambton, those members might not agree with the member for Ottawa-Rideau, the former judge, who says the government isn't moving quickly enough, because we believe that the government is moving too quickly, and I suspect many members of the government believe that too. The member for Ottawa-Rideau will wonder if the government is moving too quickly when they close the Ottawa Civic Hospital or other hospitals in his community. Then perhaps he will say the government should be pausing a little, taking a little more time to assess the implications of its legislation.

Mr Guzzo: Which ones does Mr McGuinty want closed? They are all in his riding.

The Deputy Speaker: The member for Ottawa-Rideau, order, please.

Mr Bradley: He's interjecting. I don't know what the interjection is about other than to say he seems to now be worried about the hospitals in Ottawa, and I don't blame him. I worry about them too. That's why I'm trying to ensure that all of the legislation gets a proper hearing, that we don't move too quickly with these drastic programs that are changing the face of Ontario, an Ontario that Conservative governments in years gone by have built, and Liberal and NDP governments and people with no affiliation have built upon, something we can be proud of.

Remember Premier Davis used to stand in this House and say Ontario was the best province in which to live.

He always said, and his ministers always said, we have the best health care system anywhere in the world here in Ontario. We used to have that, and we want to maintain that, but unfortunately the government is swinging the axe. They've taken \$38 million away from hospitals in the Niagara region.

People I hear from in the Niagara region say, "How could you allow the government to pass this other resolution it has to start the spring session in January?" when we know that it really wants to proceed with a lot of very radical, rash and revolutionary changes that are changing the world of Ted Arnott or Eleanor Caplan or Ben Grandmaître or anybody else in this House. I say that as individuals rather than as politicians, because otherwise I would have to name their ridings of Wellington and Oriole and Ottawa East, and I did not want to get into that.

My friend the Minister of Agriculture is here this afternoon.

Mr Bill Murdoch (Grey-Owen Sound): What's his riding?

Mr Bradley: His riding is a long riding, so in the interest of time I will not list all of the parts of his riding. But I want to tell you, he is concerned in his heart of hearts, I'm sure, about how quickly the government is moving in some areas. In some areas he probably agrees the government should be moving quickly, and the opposition may agree. But he's a cautious person. He was part of the Davis government and he knew how Premier Davis thought about these matters. His predecessor, Osie Villeneuve, was also a very cautious individual and, I might add, a Montreal Expos fan at the same time. He was a very, very cautious individual. I'm sure that both of these people, in their heart of hearts, believe the government should take the two words "new" and "spring" out of its other resolution. So a resolution like this would go through quickly: With the nod of a head, with the wink of an eye, a resolution such as this would go through if that were indeed the case.

I know my friends in the New Democratic Party would agree with that if indeed they accepted the amendment, which I think is a reasonable one. There are two amendments to choose from. If they were to accept one of them, I think the House would proceed and you'd see a lot of cooperation. You would see a lot of progress next week as we sit next week in this Legislature. When we got into the new session, we'd see an invigorated Legislature, members from all sides back and ready to tackle the major issues of the day and ensure that there's appropriate debate.

Ms Frances Lankin (Beaches-Woodbine): We endorse that, Jim.

Mr Bradley: I know the New Democratic Party is onside on that, and I suspect many of the non-cabinet people in the government, maybe even some in the cabinet, would agree with that as well.

We in the opposition are trying to do you a favour. I know you think we're not. We're trying to do you a favour. We're trying to help out the government House leader. We're trying to help out government backbenchers, who don't always get a chance to publicly air their concerns. They get a chance behind the closed doors

of caucus, and I'm sure they are putting forward their views vociferously in those circumstances, but they don't get a chance to do it in this House. My friend from Dufferin-Peel, for instance, who is a parliamentary assistant and may not want to stand in this House to express disagreement with his government, is going to be looking to those of us in the opposition to express those views.

I think many of the people sitting on the other side are probably saying, "Why doesn't the Premier simply give instruction to the government House leader to remove the word "new" and the word "spring" and simply have an extension or accept one of the amendments? I think we'd move forward in an expeditious manner with a lot of legislation, because I'm eager to get at that legislation. But what was happening was we saw that the government was going to be doing an end run around established practice, around a practice that the member for Parry Sound thought was an important practice.

I want to say to the government House leader, to the government, we might well be prepared to move forward with this particular resolution. We might well be able to accept this resolution. We simply wanted to let you know how we felt about things in general before we got to that particular resolution.

I appreciate that the government members have listened and perhaps had a chance to think about the amendments that have been proposed by the two opposition parties that would allow us to move in an expeditious manner and a comprehensive manner dealing with the legislation that I know the government House leader is eager to have pass this House. I think if he saw those words removed, he saw a change and there wasn't a new spring session, it would be like a lifting of a burden on his back as he would see cooperation of a kind he dreams about in his most wonderful dreams. I look forward to that kind of cooperation and consensus-building in this House.

1520

Mr Bud Wildman (Algoma): I want to enter this debate because I think it's important that we clarify the situation as it stands in this House at this time, coming close to the December break for Christmas and the new year.

The Speaker will know that I spoke on another motion last night in this House, which dealt with the ordering of the government's business, and I made it very clear that this caucus, as members of the Legislature, is prepared to sit next week and even to return in the winter, to come back in January, to deal with a very long list of government legislation that the government House leader, a chap who is a hardworking and amiable person to deal with, has said the government must have before it finishes the session. That is a very long list.

I won't reiterate what I said yesterday, last evening, on this motion, but I will say this: We are prepared to deal with the government's business. We are prepared to debate at third reading a long list of legislation that the government has said must be passed for third reading and to deal with other matters which are already on the order paper for second reading and have not yet been called by the government for debate.

As I said yesterday, the government finds itself in a position very similar to many other governments, where we're reaching the end of the session and there is still a large list of bills that have not been dealt with and that the government wishes to have dealt with. We have a situation where the government is talking about extending the hours of debate, and that's what this motion is about. This motion basically says that notwithstanding standing order 96(a), the House will meet this Thursday morning, tomorrow morning, for two hours to consider government business rather than dealing with private members' business, which is what we would normally be dealing with on a Thursday morning.

In the discussions among House leaders, we made it clear that we were prepared to consider this kind of suggestion in the context of the government looking for more time to deal with the long list of bills that are before the House that have not yet been passed. However, the discussion was in context, and the context of that was how the government could expand the hours in order to deal with the legislation that's currently on the order paper, recognizing that the rules clearly state that the government cannot introduce new legislation for debate at second and third reading in the last eight session days and that that rule also applies to any extension of the hours beyond the normal adjournment date. That was the context of the discussion.

We understood that the government had a long list of legislation that needed to be dealt with and that the government wanted to extend the hours and to find more time to deal with that legislation. We were prepared to accommodate that on the understanding that the government was going to be adhering to the rules of the House. So we made it clear that we were prepared to sit next week and we were prepared to sit in January and February. The member for Grey-Owen Sound is nodding over there. I know he is prepared to serve his constituents in this place over the winter, and we are prepared to do that as well.

But then, when we saw the motion that was moved by the government, there was a kicker in the motion. The motion didn't do what we understood the government intended to do; that was, to extend the hours of debate, to give more days for the government to deal with the matters that are on the order paper. Rather, it stated that we would be doing that next week, up to December 19, but then when we meet in January we were all going to be under the collective illusion that spring had arrived and that we would be commencing a spring session.

Now I'm not sure what the Minister of Agriculture, Food and Rural Affairs would have to say about this. I don't know how this will affect spring planting for the farm community in this province, but I think he would find very few farmers who are going to be out on the land in the late part of January in Ontario, no matter if we're even dealing with the very southern parts of the province like Essex county. I doubt very much that we would see farmers out on the land at that time of year.

So we had some difficulty with defining January 13 as the beginning of spring. Some people out there who might be watching this debate might wonder why it is that we're concerned about the word "spring." Well, I

think I should explain that and why I think it's a kicker in the motion.

If the government can in fact designate it as a new session, that is the spring session, then the government gets around the rule that prevents them from debating new legislation at second and third reading. The government really isn't looking at extending the hours so that it can deal with the list of legislation that is already on the order paper. In fact, the government wants carte blanche to come back and introduce all sorts of new legislation that we might deal with.

Now we're prepared to come back, and frankly we might even consider coming back to deal with the two initiatives the Premier stated last week must be dealt with, even though they haven't been introduced, as the rules require them to be introduced, prior to the last eight session days, if the motion clearly stated that. But it doesn't.

My colleague the member for Fort York might have something to suggest on that when we get to that part of the debate, whenever we might get to that; however, I can't see how we would be willing to accommodate the government when they've got this little twist in their motion. We came out of our discussions saying, "Okay, we're prepared to extend debate. We're prepared to extend the sittings for another week prior to Christmas and we're prepared to come back in the winter," knowing that it's winter, not pretending that it's spring, and actually continuing the work of the fall session.

That's why I said I thought we should accept the amendment proposed by the official opposition, which would say that this would be an extension of the fall session. There is a very long list of legislation that the government has said they want passed. If they really want to pass that and they want to come back in the winter to do it, fine.

As I've said, we might even be prepared to introduce another amendment that might make it possible for other matters, specific matters, to be dealt with in the winter. But we are not prepared to cooperate if the government is determined to circumvent a very clear rule, because I, like the member for St Catharines, was very persuaded by the arguments made in 1992 by the now finance minister, the then House leader for the third party, the member for Parry Sound, when he said very clearly that the rules needed to be tightened up, that it was unfair to the members of the assembly, and particularly the members of the official opposition and the third party, for the government to stockpile legislation to the last part of the session — that was the term the member for Parry Sound used — stockpile controversial legislation until the last part of the session, to be introduced at that time without proper notice to the official opposition and to the third party, without proper consultation and without proper time for consideration and debate.

1530

The member for Parry Sound has been in this House about the same length of time as the member for St Catharines.

Mr Bradley: Four years less.

Mr Wildman: He has been here a long time. He hasn't been here as long as I have, but I think he knows

as much or more about the rules of the House than I might and he knows what he's talking about when he says that it's not fair and not a proper approach to introduce new legislation in the last eight sessional days for debate and passage. He's quite right. He was also right when he said there was a loophole in the rules that needed to be closed and in 1992 he was in favour of the closure of that loophole.

I can only conclude that the government House leader wasn't able to talk to the member for Parry Sound about this motion, because if he talked to the member for Parry Sound about this motion, I'm sure the finance minister would have said to him: "Look, wait a minute here. You're doing exactly what I argued against in 1992. We shouldn't be doing that. That's not a proper way to do things. We are bringing in controversial new pieces of legislation at the very end of the session and you're calling the session in January the spring session so you can avoid the rule that prevents us from debating that at second and third readings," the very rule that the table officers came to call "the Ernie Eves rule" in this House.

I'm sure that the table officers don't mind me pointing out that that was the term they used for that rule, because everyone knew that that rule was brought in at the behest of the member for Parry Sound, that the member for Parry Sound was the person who designed the rule. He said there was a loophole that needed to be closed, and he believed that by changing the rule the way we now have it he had closed the loophole. So it came to be called, for those who are interested in the arcane rules of this place, who get into lively discussions about whether you can do this or that or the other in this House, as "the Ernie Eves rule."

I can't believe that the member for Parry Sound, if he'd been consulted on this, would agree to a stratagem by the government to circumvent the very rule that is called "the Ernie Eves rule." I know that the member for Kingston and The Islands has as much regard as I do for the Minister of Finance. We may have political differences, but we know that he would not allow his colleague knowingly to circumvent a rule that he had proposed for this House.

The private members of this Legislature, the members of the opposition, are quite prepared to accommodate the government if the government finds itself in a difficulty because it can't manage the order of the House particularly well. We are prepared to accommodate and we would even be prepared to accept this motion that has been proposed for tomorrow morning. But we would only be prepared to accept it if we understood that the government was adhering to the rule that has the appellation "the Ernie Eves rule" in this House.

I know that some members of the governing party, the members of the back bench, must get very frustrated in dealing with the way things work around here. The Legislature, as long as I've been here, for over 20 years, has always worked on the basis of some kinds of give and take. The government wants something, it has an agenda it feels it has been elected to carry out, it has a mandate to implement. Some of their agenda may in fact raise concerns among members of the opposition; they have different views. Some of the pieces of legislation

that are going to be introduced will generate considerable and perhaps sometimes vehement disagreements and lengthy debate.

Essentially what happens is the government House leader meets with the House leaders for the opposition and says: "Okay, which pieces of legislation are going to be controversial? How much time are you going to need? How long is it going to take to debate it?" The opposition House leaders usually say: "What's your agenda? What do you need? What do you want? How many bills? Which bills do you need passed? If you need us to accommodate you in that area, are you prepared to accommodate us in other areas?"

The problem we've had this fall session — it is the fall session — has been that for the last two or three months we've been asking the government House leader: "What's the agenda? What do you need? What bills do you want to proceed with, which bills are not high priority?" In that process, only one government bill in the whole long list has been dropped as a priority — only one. Essentially what the government has been saying is, "We want it all." Well, the government has a mandate, I recognize that, but it doesn't have a mandate to get all of the legislation through when there's enough legislation to cover two sessions, not one.

I've heard some members of the government back bench say, "The opposition debated Bill 75 at great length." That was the bill dealing with video display lottery terminals, VLTs. That's true. There was considerable lengthy debate in this House about that because it's a very controversial proposal. There are people on all sides of the House who have very strong views for and against the approval of these machines in our communities.

I remember when I was serving as a member of government when there was discussion in our caucus and in cabinet about whether we should move to approve casinos in this province, and that was very controversial. There were some members of caucus who said, "No, we just can't support this."

Interjection.

Mr Wildman: No, a couple of them voted against casinos, but interestingly enough, at the time we had that debate, one of the proposals that was brought to us as a government was that we have VLTs as well as casinos in Ontario. The cabinet had considerable debate about this because the same arguments were brought to our government as the same officials have brought to your government. They were saying, "There are all these illegal ones." One way to deal with that, if you can't beat the mob by stopping them from having these illegal operations, is to replace them and just operate them yourself, as a government. We talked about the problems of addiction and the numbers of people who seem to be attracted to these kinds of machines and the allure of instant gratification, of instant wins, and we decided not to have VLTs in communities across the province. We said no.

So it was hardly surprising that when your government decided to bring this matter before the House it would generate considerable controversy and debate, recognizing that it might have been smart on the part of the govern-

ment not to call the legislation and to call other pieces of legislation for debate if they wanted them passed, to get that other work done. But the government chose to say, "We're not going to deal with other pieces of legislation till we get this one through and you guys shouldn't be prolonging the debate on VLTs." In my view that was a mistake on the part of the government.

1540

So the government now finds itself in a fix, and that fix is that it's got a long list of legislation it wants to deal with. It wants to deal with it tomorrow morning instead of private members' legislation and it wants to deal with it next week and in January. If that was all it wanted, the opposition would accommodate the government. We like to have the House sit. It's in our interests as representatives of the people of Ontario to have the House sitting. We like question period. We like to have question period. So it's certainly in our interest to have more question periods.

Mr Baird: If we have good questions.

Mr Wildman: Well, the quality of questions is judged by the public.

Mr Bradley: The Premier obviously doesn't like it. He wasn't here today.

Mr Wildman: One wag has suggested the Premier doesn't like questions and that's why he wasn't present, but I know it's against the rules to refer to the presence or absence of a member, so I won't repeat that.

The point is there is very little time in the schedule of the House that is set aside to deal with private members' business, both backbench government members and backbench members of the opposition. Most of the time is taken up by question period, routine proceedings and debates on government legislation. There is very little time. The only time that is specifically set aside for private members' legislation, when private members can bring forward proposals that are important to them and to their constituents, is on Thursday morning, for two hours, between 10 and noon. So it is quite a thing for private members to say, "Okay, we'll give up that very small amount for one week to accommodate the government, which has a long list of government legislation to get through."

We were prepared to do that, but we were prepared to do it in the context that the government was going to be sitting next week, which we agreed with, and in January, to deal with the order paper matters that are already there. When we suddenly saw the motion as presented that said it was spring in January, that we wouldn't just be dealing with the order paper materials now, we would be dealing not only with legislation that has just been introduced in the last eight days but hasn't even been introduced yet — we haven't seen it yet.

Mr Gilles Pouliot (Lake Nipigon): Dictatorship.

Mr Wildman: Exactly.

The problem the government has is that it should have had this material, this legislation ready for first reading a couple of weeks ago.

Hon Noble Villeneuve (Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs): We just got Crombie's report last week.

Mr Wildman: It wasn't the opposition that set the schedule for Mr Crombie.

Mr Pouliot: Get your ducks in order.

Hon Mr Villeneuve: The ducks are over there.

Mr Wildman: Well, if it walks like a duck —

The Deputy Speaker: The member for Algoma, just direct your remarks to the Speaker.

Mr Wildman: Speaker, I would never suggest that anyone who is a member of this House is a duck, but if it walks like — all I'm trying to say is that we are prepared to accommodate the government. The government's got itself into a fix. The government's in a mess in terms of its schedule, its order of business. We understand this. It happens to lots of governments. I've seen it happen to Conservative governments, I've seen it happen to the Liberal government, I've seen it happen with the NDP government, and now it's happening again. It happens quite often.

In the time that I've been here I think there have only been a couple of years I can recall where we actually finished early before Christmas. I remember one year when the Liberals were in government we sat between Christmas and New Year. I remember sitting here on December 27 debating the public business. I suppose now that we've brought in the St Stephen's Day bill, the Boxing Day bill, if the government wished to bring forward a motion, we could sit on December 26. But of course under that legislation only the members of the staff who would want to come would have to come.

Interjections.

The Deputy Speaker: Order, order. Address your remarks to the Chair. It would be easier.

Mr Wildman: I was just trying to provoke some discussion and some consideration of other options the government might have for dealing with — I want to make clear, Speaker, that I am not suggesting the government bring in a motion that we sit between Christmas and New Year, I'm not suggesting that, but we will accommodate the government. We will even consider giving up private members' hour. Even though there's very little time for private members' business in this place, very little time for private members to bring forward issues that are of concern to them and their constituents, we'd be prepared to do that. We'd be prepared to sit next week. We're going to, and we're quite happy to do that. We'd be prepared to sit in January and February. We'd be happy to do that.

Standing here, looking across the way and seeing the member for S-D-G & East Grenville — you've reminded me — I can tell you I'd be happy to sit here on Groundhog Day.

Mrs Boyd: It's a Sunday.

Mr Wildman: It's a Sunday. Then I won't be willing to sit on Groundhog Day, I'm sorry.

I think we should order the business. The government must adhere to the rules of the House. The government cannot pretend that spring starts in January. The government cannot bring in new legislation in the last eight session days and expect it to be debated during the extension. We are prepared to deal with the long list of matters that are up for third reading and the few that are there for second reading on the order paper — some of

them are very controversial, some of them are less so — but we are not prepared to countenance a situation where the government intentionally circumvents the rules. We are not prepared to cooperate in that kind of process.

The rules are there, as the member for Parry Sound has said, for a very good reason: to properly serve the public and protect the rights of the opposition and the rights of each member of the House. The member for Parry Sound is quite correct. He thought we had plugged the loophole. The government apparently thinks it's found another one.

I think that's unfortunate, because it then calls into question the sincerity of the member for Parry Sound in 1992, and I think he's a very sincere person. I think he was stating clearly that it is inappropriate to be introducing new pieces of legislation in the last eight session days without proper notice for the opposition, without proper public input, so they can be debated for second and third reading. That's what the member for Parry Sound said in 1992. I'm persuaded he was accurate and correct. I believe that remains to be the case.

The government can resolve this very simply: Accept the opposition amendment or the amendment we are going to put forth. The government doesn't even have to do that. The government can simply take out the reference to "spring" in the motion. If the government removes the reference to "spring in January," we can order the business to deal with what's on the order paper.

The choices are fair and clear, and I've tried to make them as clear as possible. Private members have certain rights here, but private members are prepared to accommodate the government if the government adheres to the rules.

The Deputy Speaker: Your time has expired. Further debate?

Mr Ted Arnott (Wellington): I wish to move adjournment of this debate.

The Deputy Speaker: The member for Wellington has moved the adjournment of the debate. Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members; a 30-minute bell.

The division bells rang from 1550 to 1620.

The Speaker: The member for Wellington has moved adjournment of the debate. Is it the pleasure of the House that the motion carry?

All those in favour, please stand and remain standing.

All those opposed, please rise and remain standing.

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 56, the nays are 28.

The Speaker: I declare the motion carried.

PETITIONS

SCHOOL BOARDS

Mr Dwight Duncan (Windsor-Walkerville): I have a petition to the Legislative Assembly of Ontario:

"Whereas the provincial government is planning to make significant changes to the delivery and governance of education in this province; and

"Whereas we as parents believe that school councils should play an important role in education, with clearly defined responsibilities limited to their particular school communities; and

"Whereas we as ratepayers are extremely disturbed that consideration is being given to abolish school boards and eliminate decision-making by locally elected representatives;

"We, the undersigned, petition the Legislative Assembly of Ontario that the present structure of school boards within the province of Ontario continue to have a major role in governance of schools to deal with broad policies as advocates for the students in their community, to provide cost-efficient educational services and to be directly accountable to the parents and local ratepayers."

I'm pleased to affix my signature to this petition.

RENT REGULATION

Mr Gilles Bisson (Cochrane South): I have here a petition that reads as follows:

"Whereas the Mike Harris Conservative government of Ontario is planning to destroy the present system of rent control;

"Whereas Mike Harris and the Conservative Party made no mention of scrapping rent control during the election campaign of 1995 or in the Common Sense Revolution document;

"Whereas a number of Conservative candidates in ridings with high tenant populations campaigned during the 1995 election on a platform of protecting the current rent control system;

"Whereas the government has consulted with special interest groups representing landlords and developers while cutting funding to organizations representing the 3.5 million tenants in Ontario;

"Whereas although all renters will suffer, seniors and others on fixed incomes will suffer particular hardship if rent controls are abolished; and

"Whereas eliminating rent control will result in skyrocketing rents in Ontario;

"Therefore we, the undersigned, call upon the Legislature of Ontario to stop the attack on the 3.5 million tenants of this province."

SCHOOL ACCOMMODATION

The Speaker (Hon Chris Stockwell): The member for Hamilton West.

Mrs Lillian Ross (Hamilton West): Thank you, Mr Speaker, I wasn't sure you could see me over that.

I have a petition which reads:

"Whereas the parents of the Corpus Christi school community in the Hamilton-Wentworth separate school board have signed this petition in order that we may impress upon you how desperately we are in need of our previously approved addition; and

"Whereas the conditions that our children are having to endure are deplorable and are not conducive to a positive learning environment;

"We implore you to expedite the funding for our addition in a responsible and timely manner."

I'd like to give this to Matthew Campbell, the page from Hamilton West, to take to the Clerk. Thank you.

RESTRUCTURATION DES HÔPITAUX

M. Jean-Marc Lalonde (Prescott et Russell) : J'ai ici une pétition qui me revient du village de Curran.

«A l'Assemblée législative de l'Ontario :

«Attendu que l'hôpital Montfort offre des services essentiels dans la région d'Ottawa-Carleton et Prescott et Russell ;

«Attendu que la population francophone et anglophone a besoin de soins de qualité ;

«Nous, soussignés, adressons à l'Assemblée législative de l'Ontario la pétition suivante :

«Que la Commission sur la restructuration des services hospitaliers prenne en considération le caractère unique de l'hôpital Montfort dans la région d'Ottawa et des services particuliers qu'il offre la communauté francophone.»

J'y ajoute ma signature.

LIQUOR CONTROL BOARD OF ONTARIO

Mr Floyd Laughren (Nickel Belt): I have a petition here from 69,000 Ontario citizens, and it's in the proper form, so I do not expect to get it sent back to me by the table. It reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the Progressive Conservative Party of Ontario" — the Tories — "is considering the privatization of the Liquor Control Board of Ontario;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Liquor Control Board of Ontario remain a crown corporation because we fear that the privatization of that organization will lead to increases in crime, drunk driving, alcohol abuse and its health costs as well as loss of control over availability to minors and quality of product."

I've signed my name to this petition along with the other 69,000 Ontario citizens, and I'm proud to do so.

FAMILY SUPPORT PLAN

Mr David Tilson (Dufferin-Peel): I have a petition addressed to the Legislative Assembly of Ontario.

"Whereas the administration of Families Against Deadbeats, Renate Diorio, Heinz Paul and Danielle McIsaac, are in total support of Bill 82, presented by the Honourable Charles Harnick to the Legislative Assembly on October 2, 1996, outlining the Family Responsibility and Support Arrears Enforcement Act, 1996, to replace the Family Support Plan Act, 1992;

"Whereas the changes will relieve the taxpayers of Ontario and provide proper enforcement required to collect and administer child support payments and orders;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We support and agree with all of the changes outlined in the Family Responsibility and Support Arrears Enforcement Act, 1996, as set forth by the Honourable Charles Harnick as Bill 82, and urge the Legislature to pass this bill into law as soon as possible."

I support this petition and have signed it.

EDUCATION FINANCING

Mrs Elinor Caplan (Oriole): I'm forwarding the enclosed petition on behalf of the students and families of St Timothy school.

"To the Legislative Assembly of Ontario:

"Whereas the Minister of Education promised that cuts to education would not hurt the classroom;

"Whereas the cuts to education have resulted in many of our very young children being housed in inadequate, poorly ventilated portables;

"Whereas the children who are housed in portable classrooms that occupy crowded school yards are educationally at risk and their safety is in jeopardy;

"Whereas the current moratorium on capital expenditure makes it impossible for some school boards to provide safe, comfortable learning environments for our children, thus adversely affecting the quality of their education;

"Whereas the government of Ontario has proposed that \$250 million be spent on building a superjail while withholding funds for necessary school construction;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Remove the freeze on capital expenditure to ensure that our children are educated in buildings appropriate to and conducive of learning, comfort and safety."

I add my support to this important petition.

1630

RÉGLEMENTATION DES LOYERS

M. Gilles Pouliot (Lac Nipigon) : Pétition à l'Assemblée législative de l'Ontario, au premier ministre, Mike Harris, au ministre du Logement, Al Leach, et aux députés de l'Assemblée législative de l'Ontario :

«Attendu que le gouvernement conservateur de Mike Harris prévoit démanteler le système actuel de contrôle des loyers ;

«Attendu que Mike Harris et le Parti conservateur n'ont pas mentionné le démantèlement des contrôles des loyers durant la campagne électorale de 1995 ou dans leur document intitulé La Révolution du bon sens ;

«Attendu que de nombreux candidats conservateurs dans des circonscriptions avec de fortes concentrations de locataires ont fait campagne durant les élections de 1995 en promettant de protéger le système actuel de contrôle des loyers ;

«Attendu que le gouvernement a consulté des groupes d'intérêt représentant les propriétaires et les promoteurs, tout en éliminant le financement accordé aux organismes représentant les quelque 3 500 000 de locataires dans notre province, en Ontario ;

«Attendu que, même si tous les locataires vont être atteints, les personnes âgées et les personnes à revenu fixe vont subir d'avantage des conséquences dévastatrices si le contrôle des loyers est aboli ;

«Attendu que l'élimination du contrôle des loyers va entraîner la montée en flèche des loyers en Ontario et aussi à ses causes ;

«Nous, soussignés, exhortons l'Assemblée législative de l'Ontario à mettre fin à l'attaque systématique et

délibéré contre les 3 500 000 de locataires dans la province de l'Ontario.»

J'y ai ajouté ma signature.

ABORTION

Mr John O'Toole (Durham East): On a daily basis I receive a number of calls in the constituency in Durham East asking me to stand up and support issues of importance to them. Today it's my pleasure to present a petition to the Legislature of Ontario.

"Whereas the results of the recent Environics Research poll showed that 57% of Ontarians oppose the funding of OHIP to abortions in Ontario;

"Whereas abortion is not a medically necessary procedure;

"Whereas the funding for abortion comes from the taxpayers of Ontario;

"Whereas Ontario taxpayers funded over 45,000 abortions in 1993 at an estimated cost of some \$25 million;

"We, the undersigned, petition the Legislative Assembly of Ontario to remove abortion as a service or procedure covered under the provincial health insurance plan."

I am pleased to affix my name to this petition.

TAX REDUCTION

Mr Michael Gravelle (Port Arthur): I have a petition to the Legislative Assembly of Ontario.

"The government of Ontario is implementing tax cuts that will benefit well-off people while at the same time they have cut incomes to the poor. Forty-six per cent of Ontario families make less than \$35,000 a year but will get only 7.3% of the benefits of the proposed tax cuts. Families with total incomes over \$95,000 a year make up only 9.2% of all Ontario families, but they will get 33% of the benefits. In these tough times it is unconscionable that the poor will go hungry while the wealthy are given more.

"We, the undersigned, request that the Legislature of Ontario not approve any further tax cuts until the causes of poverty and unemployment in Ontario are dealt with effectively and until the province's debt and deficit are paid down."

I am pleased to sign my name to that petition.

EDUCATION FINANCING

Mr Howard Hampton (Rainy River): I have petitions that were signed by 253 constituents in the town of Atikokan in my constituency. The petition reads as follows:

"To the Legislative Assembly and the Premier:

"Because we care about public education and opportunities for Ontario's students, we urge you to stop the cuts to education and to ensure full funding for quality education programs, to invest in future success by fully supporting early childhood programs, to maintain a broad range of courses and programs for all students through to high school graduation, to maintain full services for

students at risk, to invest in Ontario's economy by maintaining day school programs for adult students."

As I said, this is signed by 253 residents from my constituency, and I affix my signature in support.

MUNICIPAL RESTRUCTURING

Mr John L. Parker (York East): I have a petition here which bears the signatures of 48 people, including those of Phil Willette and Lisa Martin, who happen to be good friends of mine and who I know personally to be of unequalled commitment to their community.

The Speaker (Hon Chris Stockwell): I'd be really interested in hearing the petition, though.

Mr Parker: It reads as follows:

"We, the undersigned residents of East York, are in favour of the borough of East York remaining as a separate municipality."

This is a petition which is being circulated by the borough of East York. It is not in fact in the form that's appropriate for submission to this Legislature, but in respect to the sentiment expressed here, I want to register it here this afternoon.

SCHOOL FACILITIES

Mr John R. Baird (Nepean): I have another petition on the Barrhaven high schools, which reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas the community of Barrhaven lacks any secondary schools to educate the large number of students living in this area;

"Whereas Barrhaven is the most rapidly growing community in Ottawa-Carleton;

"Whereas the National Capital Commission's greenbelt severs the community of Barrhaven from Nepean, forcing many students to take potentially dangerous, unsupervised, hour-long trips on public transportation in order to travel to school;

"Whereas Nepean's high schools are significantly overcrowded;

"Whereas both the Carleton Board of Education and the Carleton Roman Catholic Separate School Board have undertaken significant cost-saving measures to help reduce the construction costs of these high schools;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We strongly urge the Minister of Education to recognize the unique educational needs of Nepean and provide the funding required to build both of the proposed high schools for Barrhaven."

I've affixed my own signature thereto.

TVONTARIO

Mr Howard Hampton (Rainy River): I have a petition to the Legislative Assembly of Ontario, and it states:

"Whereas TVOntario has been providing Ontarians of all ages with high-quality educational programs and services delivered through television and other media for 25 years;

"Whereas TVOntario provides universal access to educational broadcasting in the most effective way possible;

"Whereas TVOntario provides essential broadcast services to communities in northern Ontario;

"Whereas TVOntario has an extensive community-based advisory network spanning the province;

"Whereas TVOntario is committed to increasing net self-generated revenues by 15% every year;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To formally commit to the province's continued support of TVOntario as a publicly owned, educational network."

This has been signed by 15 constituents in my riding, and I sign in support of it as well.

FIREARMS CONTROL

Mr David Tilson (Dufferin-Peel): I have a petition addressed to the Legislative Assembly of Ontario:

"Whereas the Liberal government of Canada has passed Bill C-68, An Act respecting firearms and other weapons; and

"Whereas we welcome real gun control and support those portions of Bill C-68 which provide tougher penalties for the criminal use of firearms, new offences related to firearm smuggling and trafficking and a ban on paramilitary weapons; and

"Whereas existing laws requiring the registration of handguns have done little to reduce the number of crimes committed with handguns or lower the volume of handguns smuggled into Canada; and

"Whereas the national gun registration provisions of Bill C-68 will result in a massive misallocation of the limited resources available to law enforcement agencies, with no practical effect on the traffic of illegal firearms or the use of guns by violent criminals; and

"Whereas the gun registration provisions of Bill C-68 will take police officers off the streets and involve them in bureaucracy rather than fighting crime, and will make the task of real gun control more difficult and dangerous for police officers;

"We, the undersigned, respectfully petition the province of Ontario to continue to urge the government of Canada to repeal from Bill C-68 those provisions for a compulsory registration of all firearms."

I support this petition and have signed it.

REPORTS BY COMMITTEES

STANDING COMMITTEE ON THE ADMINISTRATION OF JUSTICE

Mr Martiniuk from the standing committee on the administration of justice presented the following report and moved its adoption:

Your committee begs to report the following bill, as amended:

Bill 82, An Act to establish the Family Responsibility Office, protect the interests of children and spouses through the strict enforcement of support orders while

offering flexibility to responsible payors and make consequential amendments to certain statutes / *Projet de loi 82, Loi créant le Bureau des obligations familiales, visant à protéger les intérêts des enfants et des conjoints grâce à l'exécution rigoureuse des ordonnances alimentaires tout en offrant une certaine souplesse aux payeurs responsables, et apportant des modifications corrélatives à des lois.*

The Speaker (Hon Chris Stockwell): Shall the report be received and adopted? Agreed.

Shall Bill 82 be ordered for third reading? Agreed.

STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Mr Smith from the standing committee on regulations and private bills presented the following report and moved its adoption:

Your committee begs to report the following bill without amendment:

Bill Pr68, An Act respecting the Huronia Airport Commission.

Your committee begs to report the following bills, as amended:

Bill Pr31, An Act respecting the City of Brampton;

Bill Pr76, An Act respecting the Windsor Utilities Commission and the supply of heat energy within the Corporation of the City of Windsor, the title of which is amended to read An Act respecting the Windsor Utilities Commission and the supply of heat energy within the City of Windsor.

The Speaker (Hon Chris Stockwell): Shall the report be received and adopted? Agreed.

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Mr Laughren from the standing committee on government agencies presented the committee's 28th report.

The Speaker (Hon Chris Stockwell): Pursuant to standing order 106(g)(11), the report is deemed to be adopted by the House.

STANDING COMMITTEE ON THE OMBUDSMAN

Mr Parker from the standing committee on the Ombudsman presented the committee's first report, 1996.

The Speaker (Hon Chris Stockwell): Does the member wish to make a brief statement?

Mr John L. Parker (York East): No, thank you very much.

STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Mr Gilchrist from the standing committee on resources development presented the following report and moved its adoption.

Your committee begs to report the following bill as amended:

Bill 86, An Act to provide for better local government by updating and streamlining the Municipal Elections Act, the Municipal Act and related statutes / *Projet de loi*

86, Loi prévoyant l'amélioration des administrations locales en modernisant et simplifiant la Loi sur les élections municipales, la Loi sur les municipalités et d'autres lois connexes.

The Speaker (Hon Chris Stockwell): Shall the report be received and adopted? Agreed.

Shall Bill 86 be ordered for third reading? Agreed.

Introduction of bills.

Hon Cameron Jackson (Minister without Portfolio [Seniors Issues]): I move that leave be given to introduce a bill entitled An Act to improve community safety by amending the Change of Name Act, the Ministry of Correctional Services Act and the Police Services Act.

The Speaker: It's not here. I'll have to take it another time.

Mr James J. Bradley (St Catharines): On a point of order, Mr Speaker: This may or may not be helpful. I'm going to ask for consent for a 15-minute or a 10-minute recess —

Interjections: Fifteen minutes.

Mr Bradley: A 15-minute recess so that discussions can take place about the business of the House.

The Speaker: The member for St Catharines is seeking unanimous consent for a 15-minute recess. Agreed.

The House recessed from 1643 to 1658.

HANSARD REPORTING SERVICE

Mr Bradley: On a point of order, Mr Speaker: I would like to ask you, if I may for a moment, while the government House leader is consulting, about a matter I drew to your attention that is increasingly difficult for others, the Hansard problem, whether you have been able to determine any resolution to the problem that people will not be able to get Hansard in the printed form, in one of these forms.

A large number of people in Ontario like getting Hansard, reading through it, reading what the Speaker has to say in his rulings, looking at a number of matters of interest to them. The problem is that they are unable to do so unless they own a computer and are on the Internet. Our concern, as members of the opposition, is that people should be aware of what is in Hansard, and a lot of people don't own a computer. I don't own a computer, for instance.

Interjection.

Mr Bradley: I've had a suggestion from the member for Burlington South, but I don't own a computer and some others may not. I am concerned that people who have an acute, comprehensive interest in what goes on in this Legislature, who are on the list to receive this document, have been unable to obtain it as a result of, apparently, a decision which has been made, and the Speaker may well be aware of that decision.

I know that you would be concerned, as a defender of the rights of members, that our constituents would have the opportunity to read in Hansard what happens in the House, including the questions, and you know how important question period is; including statements, which are exceedingly important; and including the various speeches that are made in the House. Even some of the interjections are of interest to people.

If we have this, I think people would be able to better judge what happens in this assembly, and perhaps another member may wish to intervene in this regard.

Mr Bill Murdoch (Grey-Owen Sound): On a point of order, Mr Speaker: On the same issue, I'd like to agree with the member for St Catharines. I hope that you would rule on this, Mr Speaker, and help us out, because I think there are a lot of people who want to hear especially the member for St Catharines, because he has a lot to say, and I'm sure it would benefit him, but a lot of us too. Our people across Ontario would like to see what some of their members have said in the House, and this may have been taken away from us. I hope you'll be able to look into this and help the members because this is one of the only chances we get, especially in rural Ontario. I hope you've got a ruling, Mr Speaker, but if you don't, I hope you get one.

Mr Derwys Shea (High Park-Swansea): On a point of order, Mr Speaker: I also share the concerns expressed by the member for St Catharines, but I have another issue that's of great concern to me: A little earlier in this meeting, pages in this chamber — I think of one particularly, Marty Fox from the riding of High Park-Swansea, was required to carry very heavy parcels forward to the table. I want to be assured, Mr Speaker, that this has done no mischief to him or to any other pages. Can the Speaker so assure me?

The Speaker (Hon Chris Stockwell): Yes. To deal with the points of order, the Hansard point of order, I think we are dealing with that, and to the members for Grey-Owen Sound and St Catharines, I'll investigate it as quickly as I can and report back to you individually.

To the member for High Park-Swansea, I can only hope that no mischief happened to Marty, but I will inquire about his good health.

ORDERS OF THE DAY

HOUSE SITTINGS

Resuming the adjourned debate on the amendment to the motion to continue the meeting of the House commencing Monday, December 16, 1996.

Mr Rosario Marchese (Fort York): Mr Speaker, I understand there was some discussion, and we have an understanding with the government House leader that I would be moving adjournment of the debate. I move that adjournment.

The Speaker (Hon Chris Stockwell): The member for Fort York has moved adjournment of the debate. Is it the pleasure of the House that the motion carry?

All those in favour, please say "aye."

All those opposed, please say "nay."

That's a tough one, but I think the ayes have that. There'll be a 30-minute bell.

The division bells rang from 1704 to 1734.

The Deputy Speaker (Mr Gilles E. Morin): Will the members please take their seats. Order.

The member for Fort York has moved the adjournment of the debate.

All those in favour of the motion will please rise and remain standing.

All those opposed will please rise and remain standing.

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 0; the nays are 75.

The Deputy Speaker: I declare the motion lost.

Mr Marchese: I'm happy again to resume the debate on the motion presented by Mr Johnson, the member for Don Mills, and happy to speak to the amendment to that main motion, which was that the motion be amended by deleting all of the words after "1997" in the fourth line of the motion and replacing them with the words "which date resumes the fall session period of 1996." That's the amendment I'm speaking to. I have to say it makes some sense, because what it tries to —

Interjections.

The Deputy Speaker: Order. There's too much noise. I can't hear. We'll wait.

Interjections.

The Deputy Speaker: We'll just wait.

Mr Marchese: It's an unruly crowd today.

What the amendment tries to do to the motion is to restore some natural order, because the original motion, which talks about that it stand adjourned until Monday, January 13, 1997, which date commences the spring sessional period, is a problematic one because it contradicts natural law. It isn't in fact a spring sessional period. What the amendment to the main motion does is restore the natural period of life, as it should. That's why the amendment was put forth.

But we have some other major concerns about what this government wants to do. What they want to do, of course, is come back and deal with educational governance and municipal governance, and that, to us, is a problem. What we have seen in education already is that they have destabilized the educational system. Through their announcements and pronouncements, they have demoralized the teachers, they have sent trustees into a tizzy and have befuddled all of the parents with what they have already pronounced. So, we've got a problem to deal with, and the announcements they're about to make or want to deal with in January are going to further compound and confound trustees, parents, teachers and the whole of Ontario in fact.

We are very concerned about those changes that they want to speak to, and we are concerned about the municipal governance change, because it is one of the biggest things that this government is about to engage in, which is going to change municipal governance a great deal. It is a proposal of great proportion, it will affect all of us in very serious ways, so we're very worried about that.

We'd like to be able to focus the discussion, obviously, in January, if they're going to force us back, on those issues so that we have plenty of time to talk about that. Our worry, of course, is that they would like to stockpile a whole lot of things into that session that wouldn't simply deal with municipal and educational governance but could deal in fact with many other things. The public deserves to be able to have adequate time to deal with educational reform of this magnitude and to deal with municipal governance changes of this magnitude. So we want time, the public demands that kind of time, and if

you confound it with yet many other things, I think it is a problem. That's what we're trying to sort out today and what we're going to be trying to sort out for the next short while. So we've got a lot to talk about.

1740

There's a referendum question that we've been trying to sort out. Our leader has asked Minister Leach and the Premier, "Will you hold a referendum on the issue of municipal governance structure changes?" and they said no to that. Mr Leach said: "Oh, that's a very complicated issue. We don't want to deal with a complicated issue with a referendum question that simply deals with a yes or no." I understand that. That's why we have expressed concerns about referenda. But why is it that these Tory members want to have it both ways? They want to be able to have referenda on their issues and reject referenda on others, so that if it doesn't suit them, they can say: "Oh no, this referendum question is simply too complicated to deal with. We need time. We need reflection. So on this we have to simply say: Referendum, no."

But you're about to change a municipal governance structure that is of great enormity and importance to many people within the metropolitan area, and the GTA, I would add. We have on our hands a big, big problem to deal with, and so we need the government members on the other side to reflect on this and we don't have much time. The government and Mr Johnson need to come up with something because we don't have a whole lot of time to deal with this, and unless we come up with some clarity soon, I'm going to have to move an amendment.

It appears that we don't have an agreement on this, Mr Speaker, so I am prepared to move an amendment to the amendment. I would move to replace the January 13 date with March 17 as the more appropriate date to deal with this issue.

The Deputy Speaker: The member for Fort York, your amendment is not in order. I'll just have to ask for further debate.

Mr Marchese: Why?

The Deputy Speaker: For the simple reason that the amendment amends the motion and not the amendment of Mr Conway. Therefore it is not in order. I will ask for further debate.

Mr Bud Wildman (Algoma): On a point of order, Mr Speaker: How many more seconds does the member have on the clock?

The Deputy Speaker: A minute and five seconds, I'm informed by the table.

Mr James J. Bradley (St Catharines): On a point of order, Mr Speaker: On behalf of my colleague Mr Conway, I would like to withdraw the amendment of the Liberal Party.

The Deputy Speaker: Do we have consent? No.

Let me explain what's happening. The only person who can withdraw the amendment of Mr Conway is Mr Conway himself unless I have unanimous consent to allow the member for St Catharines to withdraw the amendment. Do I have that consent?

Interjections.

The Deputy Speaker: I hear yes and no. Do I have consent? No. Further debate?

Mr Alvin Curling (Scarborough North): On a point of order, Mr Speaker: You asked for unanimous consent, yes or no, and some members weren't even in their chairs. How can they be saying yes and no out of their seats?

The Deputy Speaker: I'm not in a position to determine where these people are seated. I heard no. It could have come from anywhere. I heard a no, so therefore it's no.

Mr Marchese: Mr Speaker, I move an amendment to the amendment. It reads "which is in keeping with the Premier's stated intent."

The Deputy Speaker: Okay, I'll try to understand the writing.

1750

The member for Fort York has moved an amendment to Mr Conway's amendment and it reads as follows: "on the amendment, which is in keeping with the Premier's stated intent."

Further debate on the motion? Forty-five seconds, go ahead.

Mr Marchese: The amendment attempts to give us an opportunity to speak to the issues that they wanted to speak to, that is, educational reform and the educational governance issue and the municipal governance issue, which was their stated intent. That's what they wanted to talk to and that is why they wanted to bring us back on January 13, and we are very happy with that intent and we want to come back to speak to those issues. It is for that reason that we have added that wording.

I move that the question be now put on the amendment.

The Deputy Speaker: Mr Marchese moves that the question be now put on the amendment. I will consult with the Clerk.

The member for Fort York, you cannot move a motion on an amendment, so therefore it is out of order.

Further debate? The member for Dufferin-Peel.

Mr David Tilson (Dufferin-Peel): The purpose of this resolution, of course, is to proceed with the various bills that this government requires to reduce the size and the cost of government in the province of Ontario. The motion is a motion for the extended and early 1997 sitting motion. I believe we'll all agree it's of a routine nature. The motion was distributed and discussed, as I understand it, at last week's House leaders' meeting.

Mr Wildman: No, it wasn't.

Mr Tilson: Well, you say it wasn't; I understand from our House leader it certainly was. The government House leader has had numerous discussions, to the member opposite, with his counterparts —

Mr Tony Martin (Sault Ste Marie): There was not.

The Deputy Speaker: Order. No, that doesn't work.

Mr Martin: Get your arguments straight.

The Deputy Speaker: No. He has the floor, please.

Interjection.

The Deputy Speaker: Order. The member for Dufferin-Peel.

Mr Tilson: I will be factual and the fact is that the government House leader has had numerous discussions with his counterparts in the official opposition and the third party about the parliamentary calendar and this has gone on for a number of weeks.

On December 4, through a statement to the Legislature, the Premier announced that the House would meet beginning January 13, 1997, to consider several critical pieces of the Who Does What legislation, and that is the gist of where this government is going.

This is legislation which will reduce the size and the cost of government in Ontario and lead to savings for the taxpayers of this province. The period of January through to the end of March when the House normally does not meet will be utilized to debate and to hold public hearings and to finalize changes and to achieve these objectives.

The Premier in his statement has asked all members to lend their support and cooperation for this special and very important reason and —

Mr John Gerretsen (Kingston and The Islands): Do not change the rules.

Mr Tilson: I'll tell you that on the government side we certainly have been pleased with the responses and signs of cooperation from all sides of the House with respect to these proposals. The leader of the third party stated, and this is a direct quotation from Mr Hampton in Hansard: "We welcome a special session of the Legislature."

We are certainly not the first government to ask members to spend a greater portion of their time in the Legislature. The New Democratic government passed motions, notwithstanding the standing order which sets out the parliamentary calendar on three separate occasions.

Standing order 6(a) sets out the parliamentary calendar. In the spring the House meets the Monday following the March break to the fourth Thursday in June.

Mr Gerretsen: We know that.

Mr Tilson: The House meets in the fall from the fourth Monday in September to the second Thursday in December. The calendar also provides for a week's break during the sessional period. The member's a new member, and I thought I'd tell him this so he knows for sure.

The standing order came into effect October 9, 1989, and the New Democratic government amended the standing order June 29, 1992, to shorten the sitting time in December from the third Thursday to the second Thursday. So the first part of the motion merely enables what has been traditional in the period from 1989 to 1992, to sit the third week of December. There's nothing unusual about what we are proposing in this period of time.

Obviously, when you look at what we are trying to do, all of the various pieces of legislation that have been introduced at this time and require further debate to accomplish the needs that I believe all of us will agree on, to reduce the size of government in Ontario and hence to reduce taxes in Ontario, we believe that this is achievable and will require this time to do all of these various things.

As I've already mentioned, the New Democratic government passed a motion, notwithstanding standing order 6(a), on three separate occasions. The first was on June 30, 1992. The NDP moved a motion, notwithstanding standing order 6(a), adjourning the House until July 6, 1992.

Mr Cooke, the member for Windsor-Riverside, who was the then New Democratic House leader, had explained that the government had several pieces of must-have legislation that they wanted to pass before the fall session.

1800

On July 22, 1992, the New Democratic government moved a motion to adjourn the House until September 28, 1992. Closure was introduced by the then Treasurer, Mr Laughren, after three hours and 45 minutes of debate the next day.

These pieces of legislation — and I'm going to indicate some of the pieces of legislation — require further debate and further time in this House.

Bill 57 is the Environmental Approvals Improvement Act, 1996. We had hoped to debate that bill today, but obviously through much of the debate that's been going on, we may have difficulty reaching that, which sits awaiting third reading. This bill provides maximum return for the tax dollar through improvements to the approvals process with regard to certificates of approval, winding down the business of the Environmental Compensation Corp, repealing the Ontario Waste Management Corp and granting the province the authority to recover administrative costs for some specific services.

Finally, there's Bill 61, which is the Government Process Simplification Act. This was introduced by Mr Harnick, the Attorney General, and is awaiting third reading. This bill enacts procedural changes to the Assessment Review Board and the Public Guardian and Trustee Office, making more efficient use of hearings, improving accessibility and promoting better customer service. It increases the public guardian and trustee's flexibility to make decisions around the sale of property belonging to persons who have to die intestate. It also makes it easier for beneficiaries of similar states to receive deceased clients' property from the public guardian and trustee without going through the expense of getting letters probate through the courts.

Bill 63 is another piece of legislation that requires debate. It's the Government Process Simplification Act, which has been introduced by the Ministry of Citizenship, Culture and Recreation. It awaits third reading as well. This bill streamlines three of the agencies' business operations and improves board accountability. It gives the board of Science North the responsibility for determining the remuneration of the CEO, director and staff; the board of the Ontario Heritage Foundation the right to have a volunteer board and reduce the minimum size of its board from 21 to 12; and the boards of Science North and the McMichael the authorization to appoint CEOs without the minister's approval.

Bill 64 is the Government Process Simplification Act. The Ministry of Consumer and Commercial Relations introduced this piece of legislation, and it too is awaiting third reading. This legislation eliminates redundant procedures and reduces regulations that are unnecessary, a burden to business. It removes references to regional ministry offices in signage, repair orders and invoices. The regulation power concerning size, form and style of signs is eliminated from the Motor Vehicle Repair Act;

the regulation-making power requiring registered motor vehicle dealers to be bonded; for the Motor Vehicle Dealers Act, the registration requirement for itinerant sellers.

Bill 65 was introduced by the Ministry of Economic Development, Trade and Tourism. It is the Government Process Simplification Act and is awaiting third reading. This bill eliminates the red tape in the operation of some of the tourism agencies and in the regulation of tourist establishments. It establishes the government process and improves efficiency by changing the process for setting fees and prescribing forms by regulations.

Those are just some of the bills on which the government requires further debate.

On June 23, 1993, the New Democratic government moved a motion notwithstanding standing order 6(a) to extend the meeting of the House commencing June 28, 1993. The then government House leader, Brian Charlton, claimed the opposition had been uncooperative in negotiations and, to use his words, "that simply is an opposition which isn't prepared to be reasonable and responsible in the legislative process." Closure was introduced by the member for Windsor-Riverside, Mr Cooke, the New Democratic House leader, after four hours and 20 minutes of debate. The House sat until September 27, 1993.

The New Democratic government again moved a motion notwithstanding standing order 6(a) on June 23, 1994, to adjourn the House until October 31, 1994. This is a particularly interesting situation, as the New Democratic government wanted to do precisely the opposite of what our government is trying to do today, which was to have the House sit for far less time than prescribed under the standing orders.

We on this side of the House in the Conservative government believe that the time has come to move on. We now, excluding the time that we've spent today, have sat more than seven hours debating this motion, so I therefore move that the question be put.

The Deputy Speaker: I will take a 10-minute recess.
The House recessed from 1807 to 1816.

The Deputy Speaker: Take your seats. Mr Tilson has moved that the question be now put.

All those in favour of the motion will please say "aye."
All those opposed will please say "nay."

In my opinion, the ayes have it.

Call in the members. This will be a 30-minute bell.

The division bells rang from 1817 to 1848.

The Deputy Speaker: Order. Mr Tilson has moved that the question be now put.

All those in favour of the motion will please rise and remain standing. Take your seats.

All those opposed will please rise and remain standing. Take your seats.

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 54, the nays are 25.

The Deputy Speaker: Order. I declare the motion carried.

Mr Johnson has moved government notice of motion number 13. Is it the pleasure of the House the motion carry?

All those in favour will please say "aye".

All those opposed will please say "nay".

In my opinion, the ayes have it.

Call in the members. This will be a 30-minute bell.

The division bells rang from 1850 to 1920.

The Acting Speaker (Ms Marilyn Churley): Order. Would members take their seats, please. The member for Mississauga South, please take your seat.

Mr Johnson has moved government motion number 13. All those in favour of the motion please rise one at a time.

Ayes

Arnott, Ted	Harris, Michael D.	Pettit, Trevor
Baird, John R.	Hodgson, Chris	Rollins, E.J. Douglas
Barrett, Toby	Hudak, Tim	Ross, Lillian
Beaubien, Marcel	Jackson, Cameron	Sampson, Rob
Chudleigh, Ted	Johns, Helen	Shea, Derwyn
Clement, Tony	Johnson, Bert	Skarica, Toni
Danford, Harry	Johnson, David	Smith, Bruce
Elliott, Brenda	Jordan, W. Leo	Snobelen, John
Eves, Ernie L.	Kells, Morley	Spina, Joseph
Fisher, Barbara	Leadston, Gary L.	Stewart, R. Gary
Fox, Gary	Marland, Margaret	Tilson, David
Froese, Tom	Martiniuk, Gerry	Tsubouchi, David H.
Galt, Doug	Murdoch, Bill	Turnbull, David
Grimmett, Bill	Newman, Dan	Vankoughnet, Bill
Guzzo, Garry J.	O'Toole, John	Wettlaufer, Wayne
Hardeman, Ernie	Palladini, Al	Wood, Bob
Harnick, Charles	Parker, John L.	

The Acting Speaker: All those opposed to the motion please rise one at a time.

Nays

Brown, Michael A.	Gravelle, Michael	Phillips, Gerry
Conway, Sean G.	Hoy, Pat	Pupatello, Sandra
Crozier, Bruce	Lalonde, Jean-Marc	Ramsay, David
Grandmaitre, Bernard	Miclash, Frank	

The Acting Speaker: The member for St Catharines, under the rules you must vote.

Interjections.

The Acting Speaker: Mr Bradley, the member for St Catharines, under the rules, you must vote. I have to tell you that if you don't vote, you will be named.

Clerk Assistant and Clerk of Committees (Ms Deborah Deller): Mr Bradley.

Clerk of the House (Mr Claude L. DesRosiers): Mr Bradley, nay.

The Acting Speaker: Thank you.

Nays

Bisson, Gilles	Laughren, Floyd	Wildman, Bud
Boyd, Marion	Martel, Shelley	Wood, Len
Christopherson, David	Martin, Tony	
Kormos, Peter	Pouliot, Gilles	

Clerk of the House: The ayes are 50; the nays are 22.

The Acting Speaker: I declare the motion carried.

Report continues in volume B.

**LEGISLATIVE ASSEMBLY OF ONTARIO
ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO**

Lieutenant Governor / Lieutenant-gouverneur: Lt Col The Hon / L'hon Henry N.R. Jackman CM, KStJ, BA, LLB, LLD
Speaker / Président: Hon / L'hon Chris Stockwell
Clerk / Greffier: Claude L. DesRosiers
Senior Clerk Assistant and Clerk of Journals / Greffier adjoint principal et Greffier des journaux: Alex D. McFedries
Clerk Assistant and Clerk of Committees / Greffière adjointe et Greffière des comités: Deborah Deller

Constituency Circonscription	Member/Party Député(e) / Parti	Constituency Circonscription	Member/Party Député(e) / Parti
Algoma	Wildman, Bud (ND)	Hastings-Peterborough	Danford, Harry (PC)
Algoma-Manitoulin	Brown, Michael A. (L)	High Park-Swansea	Shea, Derwyn (PC)
Beaches-Woodbine	Lankin, Frances (ND)	Huron	Johns, Helen (PC)
Brampton North / -Nord	Spina, Joseph (PC)	Kenora	Miclash, Frank (L)
Brampton South / -Sud	Clement, Tony (PC)	Kingston and The Islands / Kingston et Les Îles	Gerretsen, John (L)
Brant-Haldimand	Preston, Peter L. (PC)	Kitchener	Wettlaufer, Wayne (PC)
Brantford	Johnson, Ron (PC)	Kitchener-Wilmot	Leadston, Gary L. (PC)
Bruce	Fisher, Barbara (PC)	Lake Nipigon / Lac-Nipigon	Pouliot, Gilles (ND)
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	Martiniuk, Gerry (PC)	Lanark-Renfrew	Jordan, W. Leo (PC)
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Carleton		Leeds-Grenville	Runciman, Hon / L'hon Robert W. (PC) Solicitor General and Minister of Correctional Services / solliciteur général et ministre des Services correctionnels
	Morin, Gilles E. (L)		Sheehan, Frank (PC)
Carleton East / -Est	Carroll, Jack (PC)	Lincoln	Boyd, Marion (ND)
Chatham-Kent	Wood, Len (ND)	London Centre / -Centre	Cunningham, Hon / L'hon Dianne (PC) Minister of Intergovernmental Affairs, minister responsible for women's issues / ministre des Affaires intergouvernementales, ministre déléguée à la Condition féminine
Cochrane North / -Nord	Bisson, Gilles (ND)	London North / -Nord	Wood, Bob (PC)
Cochrane South / -Sud	Cleary, John C. (L)		Tsubouchi, Hon / L'hon David H. (PC) Minister of Consumer and Commercial Relations / ministre de la Consommation et du Commerce
Cornwall	Johnson, Hon / L'hon David (PC) Chair of the Management Board of Cabinet, Minister of Health, government House leader / président du Conseil de gestion, ministre de la Santé, leader parlementaire du gouvernement	London South / -Sud	Smith, Bruce (PC)
Don Mills	Silipo, Tony (ND)	Markham	DeFaria, Carl (PC)
	Castrilli, Annamarie (L)		Snobelen, Hon / L'hon John (PC) Minister of Education and Training / ministère de l'Éducation et de la Formation
Dovercourt	Tilson, David (PC)		Marland, Margaret (PC)
Downsview	Flaherty, Jim (PC)	Middlesex	Sampson, Hon / L'hon Rob (PC) Minister without Portfolio (privatization) / ministre sans portefeuille (privatisation)
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	North, Peter (Ind)	Mississauga West / -Ouest	
Durham-York	Hoy, Pat (L)		
Eglinton	Crozier, Bruce (L)	Muskoka-Georgian Bay / Muskoka-Baie-Georgienne	
	Ford, Douglas B. (PC)	Nepean	Baird, John R. (PC)
Elgin	Kells, Morley (PC)	Niagara Falls	Maves, Bart (PC)
Essex-Kent	Hastings, John (PC)	Niagara South / -Sud	Hudak, Tim (PC)
Essex South / -Sud	Stockwell, Hon / L'hon Chris (PC) Speaker / Président	Nickel Belt	Laughren, Floyd (ND)
Etobicoke-Humber	McLeod, Lyn (L)	Nipissing	Harris, Hon / L'hon Michael D. (PC) Premier and President of the Executive Council / premier ministre et président du Conseil exécutif
Etobicoke-Lakeshore	Marchese, Rosario (ND)		Barrett, Toby (PC)
Etobicoke-Rexdale	Vankoughnet, Bill (PC)	Norfolk	Galt, Doug (PC)
Etobicoke West / -Ouest	Murdoch, Bill (PC)	Northumberland	Carr, Gary (PC)
	Elliott, Brenda (PC)	Oakville South / -Sud	Colle, Mike (L)
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Fort York	Chudleigh, Ted (PC)	Oriole	Ouellette, Jerry J. (PC)
Frontenac-Addington	Christopherson, David (ND)	Oshawa	Patten, Richard (L)
Grey-Owen Sound	Agostino, Dominic (L)	Ottawa Centre / -Centre	Grandmaître, Bernard (L)
Guelph	Pettit, Trevor (PC)	Ottawa East / -Est	Guzzo, Garry J. (PC)
Halton Centre / -Centre	Ross, Lillian (PC)	Ottawa-Rideau	McGuinity, Dalton (L) Leader of the Opposition / chef de l'opposition
Halton North / -Nord		Ottawa South / -Sud	Chiarelli, Robert (L)
Hamilton Centre / -Centre			
Hamilton East / -Est			
Hamilton Mountain			
Hamilton West / -Ouest			

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Parkdale	Ruprecht, Tony (L)	Scarborough West / -Ouest	Brown, Jim (PC)
Parry Sound	Eves, Hon / L'hon Ernie L. (PC) Deputy Premier, Minister of Finance / vice-premier ministre, ministre des Finances	Simcoe Centre / -Centre	Tascona, Joseph N. (PC)
Perth	Johnson, Bert (PC)	Simcoe East / -Est	McLean, Allan K. (PC)
Peterborough	Stewart, R. Gary (PC)	Simcoe West / -Ouest	Wilson, Jim (PC)
Port Arthur	Gravelle, Michael (L)	Sudbury	Bartolucci, Rick (L)
Prescott and Russell / Prescott et Russell	Lalonde, Jean-Marc (L)	Sudbury East / -Est	Martel, Shelley (ND)
Prince Edward-Lennox- South Hastings / Prince Edward-Lennox- Hastings-Sud	Fox, Gary (PC)	Timiskaming	Ramsay, David (L)
Quinte	Rollins, E.J. Douglas (PC)	Victoria-Haliburton	Hodgson, Hon / L'hon Chris (PC) Minister of Natural Resources, Minister of Northern Development and Mines / ministre des Richesses naturelles, ministre du Développement du Nord et des Mines
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Renfrew North / -Nord	Conway, Sean G. (L)	Welland-Thorold	Kormos, Peter (ND)
Riverdale	Churley, Marilyn (ND)	Wellington	Arnott, Ted (PC)
S-D-G & East Grenville / S-D-G et Grenville-Est	Villeneuve, Hon / L'hon Noble (PC) Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs / ministre de l'Agriculture, de l'Alimentation et des Affaires rurales, ministre délégué aux Affaires francophones	Wentworth East / -Est	Doyle, Ed (PC)
St Andrew-St Patrick	Bassett, Isabel (PC)	Wentworth North / -Nord	Skarica, Toni (PC)
St Catharines	Bradley, James J. (L)	Willowdale	Harnick, Hon / L'hon Charles (PC) Attorney General, minister responsible for native affairs / procureur général, ministre délégué aux Affaires autochtones
St Catharines-Brock	Froese, Tom (PC)	Wilson Heights	Kwinter, Monte (L)
St George-St David	Leach, Hon / L'hon Al (PC) Minister of Municipal Affairs and Housing / ministre des Affaires municipales et du Logement	Windsor-Riverside	Cooke, David S. (ND)
Samia	Boushy, Dave (PC)	Windsor-Sandwich	Pupatello, Sandra (L)
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Scarborough-Agincourt	Phillips, Gerry (L)	York Centre / -Centre	Palladini, Hon / L'hon Al (PC) Minister of Transportation / ministre des Transports
Scarborough Centre / -Centre	Newman, Dan (PC)	York East / -Est	Parker, John L. (PC)
Scarborough East / -Est	Gilchrist, Steve (PC)	York Mills	Turnbull, David (PC)
Scarborough-Ellesmere	Mushinski, Hon / L'hon Marilyn (PC) Minister of Citizenship, Culture and Recreation / ministre des Affaires civiques, de la Culture et des Loisirs	York-Mackenzie	Klees, Frank (PC)
		Yorkview	Sergio, Mario (L)
		York South / -Sud	Kennedy, Gerard (L)

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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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of Ontario**

First Session, 36th Parliament

**Assemblée législative
de l'Ontario**

Première session, 36^e législature

**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Wednesday 11 December 1996

Mercredi 11 décembre 1996



Speaker
Honourable Chris Stockwell

Président
L'honorable Chris Stockwell

Clerk
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 11 December 1996

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mercredi 11 décembre 1996

Report continued from volume A.

1925

ENVIRONMENTAL APPROVALS IMPROVEMENT ACT, 1996 LOI DE 1996 SUR L'AMÉLIORATION DU PROCESSUS D'AUTORISATION ENVIRONNEMENTALE

Mr Galt, on behalf of Mr Sterling, moved third reading of the following bill:

Bill 57, An Act to improve the Efficiency of the Environmental Approvals Process and Certain Other Matters / *Projet de loi 57, Loi visant à améliorer l'efficacité du processus d'autorisation environnementale et concernant certaines autres questions.*

The Acting Speaker (Ms Marilyn Churley): If members are leaving, would you please do so or take your seats so that we can have the beginning of the debate on Bill 57. Thank you.

Mr Doug Galt (Northumberland): Today I'm pleased to introduce for third reading the Environmental Approvals Improvement Act. The act, known as Bill 57, received first reading in June and has since been through second reading and the standing committee on resources development. I thank all honourable members who have taken part in the discussions on Bill 57. This bill can only get better as it is put to the test over many months and years in the future.

Here we have an example of a process that leads to solid results, in this case a stronger piece of legislation to protect human health and the environment. We're trying to do away, through the approvals reform, with the processes that do not contribute to environmental protection. In the past, unfortunately, we've been looking too much at the process and not at the end result. What is important are the end result and the protection of the environment, as you are very much aware.

Bill 57 also helps the Ontario government to meet its commitment to (1) save the taxpayers' money; (2) simplify government; (3) improve accountability; (4) protect our priorities; and (5) improve our customer services.

Before going on I want to underline one very important point in this bill: Approvals reform does not compromise environmental protection in any way; it strengthens it by allowing the ministry to focus on priority issues, and the environment will indeed be protected.

The same point can be made about all the reforms being undertaken by the Ministry of Environment and Energy. We are working to weed out all the regulations and policies that prevent us from meeting our mandate to

protect the environment and ensure that Ontario's energy needs are met.

Bill 57 proposes to do four significant things:

(1) It will introduce standardized approvals as a way, in many instances, to make the environmental approvals process more clear and efficient.

(2) Bill 57 will close the Environmental Compensation Corp and get the ministry out of the compensation business, a place it should never have gotten into in the first place.

(3) The bill will repeal the Ontario Waste Management Corporation Act.

(4) The bill will give the Ministry of Environment and Energy greater ability to charge fees to recover costs for certain services that it provides.

I'd now like to take a closer look at each of these four proposals.

Under the existing legislation a certificate of approval is required for any activity that might result in discharges into the natural environment — that's any activity and any discharge. Currently we require a certificate of approval for restaurant fans, as one example.

If you read the present legislation in great detail you would interpret that things like bathroom fans and fans for livestock barns would also require a certificate of approval. Facetiously, I've often wondered, when people go outside to smoke, with the kind of pollution they're releasing into the environment, maybe they should also have a certificate of approval. In the past all these things have been overlooked by the ministry. However, if the legislation were interpreted to its fullest, maybe those would be some things we should be doing.

In effect, what we've really been doing with each certificate of approval has been a customized regulation for each one of these projects, and in the past we've often been criticized as a ministry for not having a level playing field when we customize each project. We believe that a standardized approval can effectively be applied in many instances. This type of approval would only be applied to activities that have predictable environmental effects and that can be controlled by consistent conditions.

Regulations would be developed that are specific to these types of activities. Some of the opposition may be encouraged by this legislation, as more regulations will be developed than were there previously.

The amendments maintain the ministry's authority to set conditions and rules to ensure the projects do not harm the environment. This is a more efficient, timely and cost-effective way to do business and eliminates unnecessary red tape by ensuring that the regulatory wheel is not reinvented in each individual case. We don't

have the resources or the time to reinvent this wheel on a constant basis, as has been occurring in the past.

When Bill 57 becomes law, industry, businesses, institutions and municipalities will have more flexibility to meet the standards in innovative ways.

Again the point must be made that the same tough environmental standards that applied in the past continue to apply today, and will do so even more effectively in the future. We will have the same tools to require compliance with these standards.

A second aspect of Bill 57 involves winding up the Environmental Compensation Corp. Over the past decade the operational cost to run the Environmental Compensation Corp amounted to more than four times as much as the compensation that it provided. This is not the best use of taxpayers' dollars.

During that same time our experience with the spills bill has shown us overwhelmingly that the majority of Ontario businesses are willing to take responsibility for cleaning up their spills. The court system will remain the avenue for pursuing the rest. It is time for the government to get out of the business of providing spills compensation.

Winding up the corporation will in no way affect the important environmental safeguards that protect the public from the consequences of spilled materials. Owners and controllers of spilled substances remain responsible for reporting, cleanups, restoration and compensation. The Ontario law in this area remains clear and unchanged.

This brings me to the third aspect of Bill 57: the repeal of the Ontario Waste Management Corporation Act. This is a formality that closes the book on the Ontario Waste Management Corp, which ceased to operate in October 1995. I'm sure that everyone here is aware of its history. Suffice it to say that the corporation spent some 15 years and \$145 million, only to fail in its efforts to solve Ontario's hazardous waste management problems.

I should add that despite the repeal, Ontario has one of the best hazardous waste tracking systems in the world, and we're the only jurisdiction in North America that tracks liquid hazardous waste. At the same time, we're stressing the preventive approach, to prevent the generation and use of toxic chemicals rather than waiting until the horse is out of the barn, so to speak.

The final aspect of Bill 57 is a provision that allows our ministry to recover some of the administrative costs of the programs and services we deliver. The ministry currently has the authority to charge fees for various services, including certificates of approval, examinations, licences and permits. Bill 57 consolidates these authorities and allows the ministry further flexibility to recover costs from the specific recipients of our services.

The ministry will introduce fees to recover the costs of providing services such as generator registration and waste manifests. The fees will help ensure that those who use the services also pay for them.

As well, the fees will assist the ministry's effort to recover some of its administrative costs, consistent with our business plan and the government's corporate direction in this regard.

The Minister of Environment and Energy and I, as the parliamentary assistant, are committed to ensuring that

Ontario's high standards of environmental protection are maintained and, wherever possible, improved upon.

I am confident that Bill 57 meets this goal while allowing the ministry to become more efficient and effective in its effort to protect the environment and ensure that Ontario's energy needs are met.

The Acting Speaker: Questions or comments? Further debate.

Mr James J. Bradley (St Catharines): It is my intention to debate this for an hour and a half this evening and deal with a number of issues that are related to this piece of legislation and the context in which this legislation is introduced to the House and beyond.

I want to, first of all, recall Conservative critics in the field of the environment who were assiduous in watching that other governments would not cut their budgets for the Ministry of Environment and would ensure that the environment had appropriate staff and resources.

This bill is introduced in the context of the government having significantly and substantially reduced the budget of the Ministry of Environment. If you're serious about dealing with environmental issues, if you're serious about the government showing leadership in meeting the environmental challenges that face this province, then you can't be lopping \$200,000 and \$300,000 from the budget of the Ministry of Environment and closing laboratories and firing staff and reducing resources and still expect to do the same job, because you can't do it.

There may be some areas of government where you can — none come to mind at this time — where it's easier to reduce resources and staff and still be able to do the job. Those are perhaps areas which lend themselves to computerization and automation. As much as I think some of those steps are backward, they are easier in some ministries than in others.

Essentially, if the government were interested in the environment, it wouldn't be reducing the budget of the Ministry of Environment. In fact, it would be maintaining and expanding that budget where necessary to meet the needs of the environment in our province.

We deal with this bill in the context of the government's agenda of deregulation, cost cutting, and support for the private sector as a priority above all others. There are areas where the private sector can play, I think, a significant role. This usually is not one of them. The reason I say this is that we want to ensure that somebody who's entirely objective, somebody who is not subjective, has an opinion to offer and a role to carry out in the regulation of those who are involved in activities which could be of detriment to the environment.

We must also consider this bill in the context of the environmental agenda, or anti-environmental agenda, of this government. We have cuts to the ministry budget, the closure of regional laboratories, and we find out that the private sector costs more than they anticipated, in fact more than when the ministry was running certain of its labs, such as in Thunder Bay. The ministry reaction, of course, is to test water fewer times, even though the auditor has recognized this as a problem area.

There was a time when the news media were very interested in the environment and you could count on the lead story on the 6 o'clock news of television or perhaps

radio to carry an environmental story, an environmental issue, an environmental happening. You could often count on the front pages of the newspaper to contain significant environmental articles. You could count on magazines to run features on environmental degradation and needs. I lament the fact that today that is not the case, which allows the government to be either lazy or compliant with those who would pollute the province.

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When I look at the fact that there's less testing of water in the province I become concerned. Because of all the chemicals out there, because the government is no longer keeping its eye on polluters as it did in the past because the ministry simply does not have the resources now to do so, the chances of the water becoming contaminated are greater.

I remember a major issue that arose with NDMA in the water. If you even mention that today you get blank looks from the government benches because the government attitude today is, "If you don't look for it, you won't find a problem." In fact, testing of water would find that in many municipalities NDMA would be found in the drinking water. I suspect that tests done for dioxin and polycyclic aromatic hydrocarbons, you name it, are fewer, and as a result the chances of water becoming contaminated are greater.

The answer isn't simply to go to bottled water — although I'm not here this evening to knock bottled water — because the testing of bottled water is sometimes not as stringent as some people might think. It requires a determination on the part of the government that it's going to protect our water supply. The Provincial Auditor said in his report that the government wasn't doing a good enough job on this and should increase its activities. Instead, we'll see a decrease in those activities.

I can't remember, as well, hearing of the discharge report that used to be an annual event that people looked forward to. If it has been released, it certainly didn't get any coverage, and that's most unfortunate because that is a measure of any progress being made in terms of the diminishing of the number of persistent toxic substances making their way into our waterways. Of course we have concerns about soil and air as well, but these discharges are directly into our waterways.

The auditor clearly indicated a concern with the ministry's effectiveness in monitoring and enforcing standards in the areas of air and water pollution and the management of hazardous wastes and other hazardous materials. Now, even with problems identified, the threat of more budget cuts — the ministry staff, by the way, has already been cut by one third — means there's less enforcement of environmental regulations by the ministry because we won't have the staff to do the monitoring or follow through on enforcement. Therefore, as with water testing, the government appears to be ready to reduce regulations that have to be enforced in the air field.

You can have all the regulations you want, you can establish all the standards you want, but if you don't have the will and the resources to enforce those standards, they're simply not worth the paper they're written on.

The deregulation that we see in this bill is consistent. Land Use Planning and Protection Act changes, you will

recall, brought about a situation where planning decisions now, and I quote, "have regard for" provincial policies instead of "be consistent with" them. This allows for far more flexibility to ignore provincial policies, far less capacity for the government to enforce its own policies and much less environmental protection.

So there is a major difference. People will say, "Well, it's only words," but when I was on the committee that dealt with the changes to the Planning Act, one of the positions I took very firmly, when that bill was before this House, was that "be consistent with" provincial policies was a much stronger and more meaningful statement. "Have regard for," in my view, is weaker and means that the government is not as interested in having these planning policies consistent with environmental thoughts and regulations and policies. You won't see it immediately, but you will see it down the line when the problems creep up.

Years ago in the ministry the attitude dictated by government many years ago was that if you don't go looking for problems, you won't find them. Essentially the ministry was the ministry of defence. Whenever a problem was discovered by someone outside, the government went into a defensive mode, tried to defend, deflect, ignore and play down the environmental problems.

In 1985 the new government of David Peterson decided it would take a different approach: that it would look for environmental problems and try to find out what they were and address them, that it would not try to cover up circumstances that exist but rather put them out there for the public to see and for public policy to be developed around that.

That was a major change in the ministry. Many of the hardworking employees of the Ministry of Environment, people very dedicated to improving the environment, to protecting the environment, welcomed that new approach of not being the ministry of defence but rather going on the offensive to try to meet the environmental obligations the province had to the people of Ontario.

But we see the staff cuts, and I know that in each of the regional offices you simply cannot do the job with fewer people. The government can say it can and the government can say, "Well, you know, today those companies that used to pollute don't pollute any more." Don't believe it for a moment. The best and fairest way to deal with those who would dare to break environmental rules is to have very strong legislation, strong laws, strong regulations on the books and tough enforcement of those laws.

That's why, back in the late 1980s, we established what was called the investigations and enforcement branch of the Ministry of the Environment. That was to be totally independent of the abatement branch, because the abatement branch was to deal with problems that polluters were having, that polluting companies would have, that polluting municipalities might have, and to try to help them correct them. The enforcement branch, on the other hand, was there to investigate and enforce the laws of the province. They were not highly regarded by many companies they visited because they were very tough on those companies. They laid a lot of charges; they demanded a lot of improvements.

In about 1986, I think it was December, the government passed new laws which drastically increased penalties for violation of legislation and regulations in this province, and this was positive. For the first time those who were in violation of Ontario laws could actually go to jail for the most serious offences, and there would be fines available of up to \$1 million a day for those environmental offences. Those were for the most significant, serious offences, and there were other very tough penalties for varying offences depending on their severity and their seriousness.

That was a good step forward, and the investigations and enforcement branch was increased in number. The whole ministry was vigilant of problems that existed. Those that had been polluting companies in the past started to change their ways, some of their own volition because they felt it was good public relations and because they had a conscience and felt an obligation, but many because of the tough laws and enforcement that got the attention of polluters and changed many of them around.

The people of this province appreciated that very much because they saw definite action to improve the environment. The companies that had already spent the money, put in the resources, trained their staff and established policies of an environmental nature supported that strong law and that strong enforcement approach because they had nothing to fear. They were complying with the laws of this province. They felt that their competitors who might try to avoid these laws, who might try to break these laws to gain a competitive economic advantage, would be held back from doing so by these strong laws and the strong enforcement.

Unfortunately that is changing today. In fact, I noticed in the newspaper that the government was even going to court in a situation where a company was in violation of provincial regulations and the government was bailing them out. The investigations and enforcement branch had a lot of charges brought against people, a lot of investigations that were commenced and were successful, and I want to compliment the people in the investigations and enforcement branch and the people in the legal department of the Ministry of the Environment for those successful prosecutions, not because we wanted a long list of people who had been prosecuted so you could wave the list and say, "Isn't this success?" but rather because it sent a message to those who would dare to violate our pollution laws in this province, our environmental laws, that they would be dealt with severely if they were in violation of legislation and regulations and policies in Ontario.

1950

We will find that there's not the staff to do so or to follow through on the enforcement after the Provincial Auditor recognizes problems and tells the government to investigate further. I mentioned that this deregulation is consistent with the Land Use Planning and Protection Act changes. I think as a result of those changes we're going to see much more agricultural land lost in this province, many more conservation treasures sold off; the conservation authority is desperate to get funds, so it's prepared to sell off lands that would otherwise be a treasure for the people.

And it's all short-term. Yes, there's a profit, and I know some of my friends on the opposite side will say: "You're just against profit. Don't you realize this will create jobs? Don't you realize this will be good for the economy?" In some instances, it will be good in the short run. But it's much more important to look at the future as well as the present. It's much more important to look well into the future, the future for children and grandchildren of people in this assembly, the future for people not only within our own jurisdiction but other jurisdictions.

When I see agricultural land disappearing at the rate it is, good agricultural land, I know we're in some problem in the future. Yes, we can be more productive now, sometimes to the detriment of the environment because we must use pesticides or herbicides which make us more productive; therefore, the challenge there is to do so without causing damage to the environment. We can do a lot of things to make ourselves more productive on less land, but eventually, with the world population expanding, we're going to need that land. We've been privileged enough to have that land in our possession as Ontarians, as Canadians. I think we have an obligation in this world to be producers not only for ourselves but for others.

I remind members of the assembly and the public of this province that there isn't all that much agricultural land. We don't have a favourable climate for growing a lot of agricultural products in the great masses of our country. The United States has that advantage. The United States has better weather conditions and better climatic conditions in most of the United States for growing various products. We don't have that in Canada. We have a relatively narrow strip of land.

First of all, the soil must be good soil, must be arable land. The second combination is that there must be favourable climatic conditions. A good example of that is the Niagara region where we have great climatic conditions. We have on average 27 more growing days, that is, frost-free days, at the bottom end of the escarpment than we do above the escarpment. Also, we have some special soils in the Niagara region, not in every spot, but in many places in the Niagara region, for the growing of products. And what do we want to do? We have people who want to put huge developments on many of these agricultural lands. I lament that. It's not good long-term planning.

I think we have an obligation to our farmers in this province. There are some members of the farming community in this Legislature. It is not their obligation to, at great loss to themselves, provide product for the rest of us. That's why I think we have an obligation through our policies to encourage farming and to encourage farmers. When I hear people being critical of particular tax measures favourable to the farming community, I am prepared to defend the farming community and their right to those particular tax measures, because they are doing us a favour.

There are only two ways in which you allow a farmer to be viable: One is to pay a fair price for the product to the farmer, or the second is to provide a subsidy or other supportive measures. Canadians have consistently shown a reluctance, as do many people in North America, to pay what the farmer would consider to be a fair price for a

product, particularly when we have competition as a result of international agreements and the free trade agreement with the United States and Mexico, so I never begrudge and will never begrudge that kind of special support to the farming community in Ontario.

But in return, we have a right to ensure that we have a lot of agricultural land, and not only agricultural land but rural land, which gives some of us a bit of peace of mind. In the Niagara region, one of the attractions is the amount of rural land. As I've said on many occasions in this House, what makes me extremely sad is driving along the Queen Elizabeth Way and seeing warehouse after warehouse after warehouse right along the Queen Elizabeth Way. It used to be simply through Mississauga, but then through Oakville and then through Burlington and into Stoney Creek and now it's into Grimsby. That used to be such nice land; I know some of the members here have visited. You could look at that land as you went along and it was a real attraction to people.

What are they doing in Grimsby today? They're building houses for people who work in Toronto and in Hamilton. If somebody tomorrow came to Grimsby and said, "We're going to put a Toyota plant or a General Motors plant or a Ford or a Chrysler plant in Grimsby and we will need the housing for that purpose," I would lament the loss of that agricultural land, but I would at least understand that there was a demand for it. But when we simply have communities providing land so that people who work somewhere miles and miles away can live there, I don't know if that's a productive use of that agricultural land.

By the way, I want to pay a compliment to the Minister of Environment and Energy. All too often in the House, when you're in opposition you tend to focus on what you think the government is doing wrong. I guess that's the nature of the job. But I want to compliment the Minister of Environment and the cabinet of Ontario for turning down a development on the tablelands of the escarpment, a development called Twenty Valley Estates, which was outside the urban area of the town of Lincoln. I must second-guess, but I don't think it was wise of the town of Lincoln or the regional municipality of Niagara, if they both approved it, to approve it. It really took a decision of the minister, and he received representations from all kinds of people, particularly farmers around that area and people who were concerned about the new agriwine business, agricultural tourism, I guess you'd call it, that agritourism business.

The member for St Catharines-Brock and I have talked to many people about that. In years gone by we've been to some forums, some events where we've talked about its future. We've also talked about how we can best promote the product in the Niagara region. For instance, Mr Froese, the member for St Catharines-Brock's family has been involved in the agricultural business for a long time and has been highly successful. But that hasn't just happened. It's been a lot of hard work, it's been a lot of dedication, it's been a lot of knowhow, and he sees around him many people who are working the land. I want to see people like that stay on that land. I want to see succeeding generations of Froeses on that particular land and other people on that land working it and I hope

making a viable living out of it, because I think it's essential and I think it's nice.

We in the Niagara region have seen a new industry growing which each government has encouraged and the present government is encouraging as well, and that is the agritourism business. We have cottage wineries and larger wineries establishing themselves, growing the grapes right there, in many cases — sometimes they're blended with imported grapes, but growing the grapes — and having a situation where the people from Toronto and other areas, the United States, can come in and go right to the winery and choose the product, may have a winery tour, might even be able to go out into the vineyard. We've been highly successful.

2000

I want to tell you that one of the real successes in this province has been the success of the grape and wine industry, and that wasn't easy. There was a lot of criticism from people who are very fiscally responsible — and I understand that — of the Liberal government when it provided some \$90 million in assistance in the grape adjustment program. It was a big expenditure, but I thought it was a good investment because it allowed rationalization, it allowed for people to do a better job in that business. As a result, the NDP government was supportive of that, and I know the present government really wants to promote that industry as well.

But you can't do it if you remove the agricultural land. You can't do it if you're going to pave that land over. You can't do it if you're looking for the quick fix or the quick dollar. Yes, you'll say there are jobs, and yes, there are jobs in the construction of those developments. I appreciate that industry and I know it's important.

I know I'm in conflict with the views of some others, and I always respect the view of others, but I look at a development called Niagara on the Green in Niagara-on-the-Lake. It makes absolutely no sense to me at all. This land is land which is reserved not for farming — I wish it were — but has been designated as special land for premium industry or very specialized industry, industries of the future. I think that's good. I hope Niagara-on-the-Lake would do well with that. I hope Niagara-on-the-Lake would have those industries, high-tech industries, prestige industries, coming there.

Instead there's been a decision made to have big-box stores. Why on earth we need more big-box stores along the Queen Elizabeth Way I'll never know, and subdivisions way out in the middle of — I won't say "nowhere," but way away from other places. I think Niagara-on-the-Lake would be much better off, and I wouldn't begrudge it and I hope everybody in the Niagara region would hope that Niagara-on-the-Lake would be able to attract to that industrial park prestige industries. What's good for the Niagara region as a whole is indeed good for the community I represent. That's why I don't begrudge that.

I simply think a wrong decision has been made in, first of all, placing the campus of Niagara College out there. I support the need for funding for Niagara College; the member for St Catharines-Brock has been enthusiastic about this. It was announced by Premier Rae previously and confirmed by the present administration that there would be funding for Niagara College, and I'm extremely

supportive of that. I think it has a big role to play in education. I don't agree with its location, again way out away from a centre. If it's going to be the St Catharines campus, I wish it would be in downtown St Catharines. If it were going to be a Niagara-on-the-Lake campus, I wish it would be somewhere in a built-up area of Niagara-on-the-Lake. If it's a Niagara Falls campus, I hope it would be there.

We have a decision that's made, for instance, on big-box stores. I'm not saying we can dictate the market — please don't get me wrong — but there are a lot of smaller stores in our downtown area and in established plazas within urban boundaries that are going to lose business. This isn't going to be new business; there are only so many dollars out there. People are either going to shop in one place or they're going to go out to the big-box store out on the highway. I'm cheering for the people inside our communities, often family businesses, often people who have been there for years, and I think it would be better to have good planning principles that would do that.

That's why I worry when I see the government having moved from a policy which says they must now simply "have regard for" provincial policies instead of being consistent with them.

I think there's a big future for agriculture. I think it's underestimated. It annoys me when I see a crisis build, when you see a problem with a major industry — I understand and I'm supportive of trying to maintain that major industry, but it was interesting to see that when Algoma Steel in Sault Ste Marie was about to go down, the government stepped in and helped it out, and I applauded that. But the same thing's happening in the agricultural area and I don't see a lot of people running to help those in agriculture; they'll have to fend for themselves. If it's good for major industries or major businesses in urban communities, why isn't good for helping out those in the agricultural business? I think there's a lot of future for that.

I've seen changes as well to the Environmental Assessment Act. Again, I don't want to be archaic enough to suggest that there isn't a need for some changes. I think you have to look at the process. Many of the people who've been involved in the process said, "If you didn't have the lawyers and consultants involved in it, it would go much more quickly." Sometimes you're going to need lawyers and consultants, and you may need a hearing panel that compels all of the representatives to focus on the genuine issues and not get off on peripheral issues. I understand that the process was not perfect, but I'm leery of the government making the changes it's making because I feel those changes are going to be detrimental to the environment in the long run.

You took powers away from the Environmental Assessment Board and gave considerable discretionary powers to the minister. That's always dangerous because the minister is subject to political influence. I don't say that in a sinister sense. I say that in that the minister can have people who live in a community make representations, perhaps people who say they have supported a particular government, depending on what the govern-

ment happens to be, and who might say, "You should give us special consideration."

When you have the laws there, when you have the Environmental Assessment Board, which is totally impartial, making those decisions, it's far better than politicians making those decisions, though I understand that ultimately the appeal process to cabinet perhaps is reasonable, because it may totally conflict with government policy.

The minister now has sole discretion over the terms of reference of an environmental assessment hearing and complete authority to exempt projects from an environmental assessment or overturn Environmental Assessment Board decisions. This power used to be held by the cabinet; now it belongs to the minister alone. If you have a minister who is very pro-environment, I guess I have less concern about that, but I think those are the kinds of decisions that should go to cabinet as a whole. I think the Minister of Environment has an obligation to make a compelling case for a decision if that minister agrees with it, but there are others within the cabinet who may have views as well that may be helpful in formulating a final decision on an appeal to cabinet. So I think that was perhaps a step backwards.

Bill 76 also introduced new minimum standards for landfill sites and soil cleanup. There's much concern that these standards would become an excuse to exempt many more projects from environmental assessment hearings. When people saw Bill 57, the bill we're dealing with now, with its power for exempting environmentally sensitive projects from meeting certificates of approval, the concern became much greater. In other words, it's compounded. It's not an isolated case; it is a consistent pattern of the government deregulating in the field of the environment.

There are also concerns that standards would be province-wide, with no recognition of unique water or soil conditions in different areas. That's a concern which came up again with Bill 57, which is based on the whole idea of standardized approvals.

When you go back to the concerns over Bill 76 and you look at what is contained in Bill 57, you can see that they're closely related. They're companion pieces, if you will. This one, Bill 57, follows directly from the other and is very much related to it. It's the combination that really worries us.

I mention unique soil conditions because soil conditions are different in different parts of the province. In areas where you have heavy clay soil, as compared to very porous soils, obviously you may wish to look at something in a different light. We have a big problem over septic tank systems, and I know there are those out there who are annoyed when the Ministry of Environment says, "You cannot have this project with septic tanks." In the short run you make people happy by allowing them, because they always say: "Those people in the Ministry of Environment in Toronto don't know what they're talking about. I know through common sense that we can have septic systems." It's attractive, and I suppose many rural members of all political persuasions will make that case to the Minister of Environment. But ultimately, when they foul their own water, they come back to the

Ministry of Environment to find the solution. It's much more difficult to remediate than it is to prevent pollution problems in the first place.

2010

Before going on to address the specific issues of Bill 57, I want to complete the catalogue of this government's attack on environmental protection. I want to look at how the government is dismantling environmental protections that have been built over the years, just as those who have been involved in health care, education or family support services feel heartsick at the destruction that this government is bringing to those areas, undoing years of work, all in the name of efficiencies that are really about finding dollars to pay for a tax cut, pleasing business friends and abandoning the responsibilities of government for the wellbeing of its citizens.

I don't say all business friends because I myself know many people in the business community who want to see strong environmental protection, who recognize that sometimes it can be an inconvenience, as many people recognize, all of us recognize, but recognize that in the total picture it's important to have those environmental protections.

You've disbanded the Environmental Assessment Advisory Committee. I know that looks good when you say to people, "We've gotten rid of more people who were employed by the government or contracted by the government to carry out certain responsibilities." The Environmental Assessment Advisory Committee usually had three good people on it. When a minister had difficulty in deciding whether to designate a project or not — it was perhaps borderline in terms of whether it might be designated or not — the minister had the authority to require the Environmental Assessment Advisory Committee to go out and investigate and to make recommendations.

Very often, those recommendations were that there wasn't a full Environmental Assessment Board hearing needed, or even a very detailed full environmental assessment. They might have suggested some conditions that might be placed on the approval of such a project and done a job admirably. They were looked upon as a fair group. I can recall the people who were on during my term as minister and I found them all to be balanced, intelligent, bright, perceptive people who weren't all on one or the other side of an issue. I lament the fact that this government has disbanded the Environmental Assessment Advisory Committee.

Perhaps the heart of the program to deal with what I would call direct discharges, perhaps even indirect discharges, to waterways in this province, is the municipal-industrial strategy for abatement. There was a committee called the Municipal-Industrial Strategy for Abatement Advisory Committee and it was involved in joint development of regulations in the very area of water pollution that the auditor is concerned about. It was a unique and effective approach, and it's been abandoned.

On that committee were some strong environmentalists, some very capable scientists and some people who were there from various industry sectors. They fought the battles at the table. They made recommendations that ultimately developed a consensus on what should be

found in a regulation. This was a good approach, and in fact I was challenged by those in the industrial sector to deal with it in a different way than I started out with. We started out by developing the regulations and then bouncing them off, or getting a reaction from, the industries which were affected. They came to me and said: "We've got a better way. Why don't you put us at the table, helping to write those regulations? Because if we do so, we will be able to tell you a more effective way perhaps of doing what you want done."

I thought that made a lot of sense. There were a few people in the environmental community who were apprehensive about that to begin with, who said: "These are the polluters today. Why would you let them at the table?" But these were people who also wanted to find solutions and they were people with a lot of knowhow — a lot of scientific knowhow, a lot of legal knowhow — who had ways of being able to improve the environment, protect the environment and not cost the company as much money perhaps, or it could do it in a more practical way. This government has abandoned that committee and therefore abandoned the MISA program to a very large extent.

You have disbanded the Advisory Committee on Environmental Standards. It's ironic, as this government is moving to a standardized approval process, that it doesn't want to consult or have advice on standards. What the government is moving to now, as I say, is that you're going to have standards that apply across the province under this bill. But if you are in that position of having standards being developed right across the province instead of individually on projects, it seems to me you want to have an environmental standards advisory committee; that would be exceedingly important to have. If you abandon that, you can go to the business community and say, "Look, we've got another obligation, perhaps a red tape group out of your way," but I'm not convinced that in the long run you've made an improvement.

You've disbanded the Ontario Round Table on Environment and Economy. The whole focus of the Round Table on Environment and Economy — that was a committee, by the way — was making the concept of sustainable development a reality. Business and environmentalists together, I emphasize; there was consultation and there would be economic benefit.

A lot of people say you can't have economic benefit and environmental benefit at the same time. That's nonsense. You can. A good example of that, probably, was the very onerous regulation placed on Inco, International Nickel, in Sudbury. It was the largest single source of sulphur dioxide pollution, sulphur dioxide which produced acid rain, in all of North America. Whenever we Canadians would go south of the border to try to encourage Americans to cut back their emissions in their coal-fired plants and from other sources, they would point to Inco and say: "You have the largest source by far in North America. What are you doing about it?"

So in 1985 the government came forward with a regulation which required Inco to reduce by a minimum of two thirds the amount of sulphur dioxide produced at that plant. Similar regulations were placed on Falcon-

bridge, located in the Sudbury area, on the sintering plant of Algoma Steel in Wawa and on Ontario Hydro.

What was important about that was that Inco initially resisted it. We were told our regulation was far too ambitious, that Inco did not have the technical and scientific knowhow to meet these obligations and anyway didn't have the money to do so. But the company was compelled to report every six months on its progress, something which, I was told by one of the vice-presidents — now deceased, by the way, but a very good person — was an important component of that regulation because it compelled the company to show progress every six months.

At the end of the three-year period provided for developing a strategy — that was a very reasonable period; nobody was asking them to do it the next day — they came forward with a press conference here in Toronto. "Inco" was outlined in green. The president or spokespersons for the company sat in on the press conference and said: "We are International Nickel. We are Inco in Sudbury. We have developed the technical and scientific knowhow to meet the obligation placed upon us through a regulation by the Ministry of the Environment of Ontario and we are prepared to spend \$500 million to do so."

Where it comes into the picture of the environment and the economy was that they went on to announce that in one aspect of the change they'd be making they would make a 19% profit, and on the other aspect a 6% profit. What they did was modernize and make better the operation in Sudbury while at the same time cutting back by at least 67% the sulphur dioxide emissions in that city.

The Ontario Round Table on Environment and Economy, then, brought together people from industry, perhaps part of the polluting groups in our province in years gone by, environmentalists, people from municipalities, people from the government, and they were developing policies which could be followed in government to ensure that the environment was protected. Unfortunately, the government has decided to abandon the Round Table on Environment and Economy.

2020

In addition, the government has ended the green communities program. They can't even see the potential for economic leadership in a key area of industrial development. It's as if anything with an environmental connotation is something this government wants to get rid of. It didn't notice that this was an industrial development program; in other words, there were industries to be developed there. Ontario can be highly successful and on the leading edge of developing environmental industries/technologies knowhow, and it can help within communities themselves. Again, there's a short-term cost, but in the long run there's a genuine saving to communities and a betterment of the quality of life. But in its anxiousness to please certain people out there who didn't like the environmental regime existing in this province, that too was abandoned.

You've cut conservation authority funding by 70% and MNR by 50% and no one is left to be concerned with the preservation of natural resources. Conservation authorities — and some members here have been members of

conservation authorities or they've been on local councils that had members on those authorities — were there to protect the natural environment, to keep something that all of us could enjoy, urban people, rural people, people in semi-rural or semi-urban areas. When you cut their funding, they can't carry out the responsibilities as well as they could in the past and, as I mentioned earlier, they end up having to sell off, to dispose of, land which is environmentally desirable for the whole community because they need the funds.

Yes, you are able to cut that expenditure and, yes, that gives you more room to give a tax cut, to develop your tax scheme, but at what price? What price are we paying so we can say we're giving a tax cut? I know how popular it is. I suspect if I went down my street and knocked on the doors — and I live in a very middle-class neighbourhood, I'd say; people who work in industries in our area would be the majority of people on my street — if I knocked on those doors and said, "Would you like a 30% cut in your provincial income tax?" I think a lot of people would say yes. But if you spent some time with them and say, "Here are the consequences of that," some may still say yes, but I suspect a lot of them might change their minds if they knew the depth of the cuts coming in services to which we've all become accustomed, services which in many cases were first developed by a Progressive Conservative government in this province, a Progressive Conservative government which I think could be proud of those services provided.

I know a lot of Conservatives who have been enthusiastic about conservation authorities in years gone by, and when a Liberal government and then an NDP government were in power, they wanted to ensure that the necessary funding and resources were there for these individuals to carry out projects to the benefit of all. But you've severely cut the funding. I don't know if you can use the word "emasculated" in 1996; maybe "emaciated" would be a better word. You've emaciated many of these conservation authorities.

You have Bill 57 now adding to the list of what's happened. I know we have had some detailed study of this bill, it's had some committee study, and third reading is not normally the place where you go through the individual provisions of a bill. Though I think you can speak to them, you don't normally go through that. But I always look at it in the context of overall government policy and see how it fits.

The Niagara River is very important to all of us. I know there are people who will think it's only important to the people who reside adjacent to it — they may know it's a drinking water source for some, a recreational water source for many — but I remind you that the waters of the Niagara River flow into Lake Ontario, which is a water source, recreational and drinking water source, for millions of people in Canada and in the United States.

There has been a genuine problem with the Niagara River. There are direct discharges going into that river, and they're a problem, but there are many indirect discharges, or non-point sources, largely seepage from old toxic waste dumps on the American side of the river.

If we look at the problems of the Niagara River and ask, "Who's caused it?" the Americans were probably

responsible today for 90% of the problem and Canadians about 10% of the problem. In 1987, I think it was, 1986 or 1987, an agreement was signed between Canada and the United States, Ontario and New York state to address the problems of the contamination in the Niagara River, and it was pretty instructive of how agreements come about. The government of Canada, represented by Prime Minister Mulroney, the government of Ontario, represented by Premier Peterson, New York state, represented by Governor Cuomo, and the United States by President Reagan would have its representatives sign an agreement to clean up the river.

I remember when I became minister looking at the agreement and its provisions. While it might have made people feel good to sign that, to show some quick progress by having a photo opportunity where the four representatives sat down to sign, I looked at it and said it wasn't really worth the paper it was written on because there were no specific provisions in it. It was a nice statement, a general objective of cleaning up the river, but it made no provision for extensive monitoring to measure progress in the cleanup or to identify major problems; it had no specific timetable for reducing those contaminants; it had no percentage decrease that would be the objective; it did not have as its goal the virtual elimination of persistent toxic substances into that waterway and no meaningful reference to the excavation of the toxic waste sites on the American side.

As a result, and I was considered to be obstinate and stupid about it, we did not sign it. People left the table. The Americans couldn't believe we would demand this; the federal government was very edgy because they wanted to have some kind of agreement they could sign; New York state was prepared to agree to it because they felt it was the best they could get; and Ontario was the holdout. It was interesting that there seemed to be no progress — a little bit of discussion between officials — and then out of the blue, the Americans phoned us, New York state phoned us. They listed the conditions I just mentioned now: the virtual elimination of persistent toxic substances from the Niagara River; a meaningful reference to the excavation of toxic waste sites on the American side; provision for extensive monitoring to measure progress and identify problems; a specific timetable for the reduction of contaminants; and a specific percentage goal for the reduction, which was 50% within a period of 10 years, I thought a modest but strong enough condition and a meetable condition. The Americans phoned up and said: "By the way, those are the five conditions? We're now prepared to meet them and we will see you in Toronto and sign the agreement." What that points out is that our American friends have never appreciated weakness; they've always appreciated strength. Fairness, yes, but strength as well.

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I compare that to an agreement, that is now either being signed or about to be signed, over the Niagara River that I consider to be virtually meaningless because it does not have those kinds of provisions in it. You have to have the content, you have to have the specifics so that the public and governments and environmentalists and

simply interested citizens can measure that progress. If you don't do that, you're abandoning the environment.

If you put sufficient pressure on the Americans, they'll do it. If you bring the federal government along with you, they will come along with you, because they don't want to be seen to be easy on these as well, no matter what political stripe the federal government happens to be. You have to have the resources, you have to have the staff, and Ontario devoted a lot of staff and a lot of resources to the cleanup of the Niagara River, not simply doing what we had to do on our side — and we did have to do some things on our side — but also keeping the feet of the Americans to the fire so that they would comply with their obligations. You have to have the resources to do so, and the ministry is reducing those resources.

Also, since I mentioned the Minister of Environment and Energy, the Honourable Norm Sterling, previously and complimented him on denying the proposed Twenty Valley Estates development, I want to compliment him as well on being one of the architects of the Niagara Escarpment itself; in other words, the escarpment plan and the Niagara Escarpment Commission. There are people in this province who don't like the Niagara Escarpment Commission. There are people who would like to see it abandoned. There are people who would like to see it dismantled and its responsibilities turned over to individual municipalities to ensure that the plan is adhered to.

But I would submit to this Legislature that the Niagara Escarpment Commission and the Niagara Escarpment plan, first initiated by the government of William Davis with the support of the two opposition parties, with Norm Sterling, the member for Carleton, as the minister — I think he was called the Provincial Secretary for Resources Development at the time — that was a progressive move. It would be a shame if the government were to move away from that, because it's something that each political party that has been involved with can take some pride in.

But the most pride must always go to those who first initiated it. The member for Dufferin-Peel is here this evening. He has been a consistently strong supporter of the Niagara Escarpment and has been one who has helped to resist unfair attacks on it. He's a very practical person and doesn't necessarily agree with everything that the escarpment commission does or the results of the hearing officers' hearings, but he recognizes, as a former environment critic for the Conservative Party and as a member whose riding takes in part of the Niagara Escarpment, just how important it is, just what a gem it is for all of us to enjoy, declared by the United Nations as a world biosphere.

I want to again compliment, as I have so often in the past, the present Minister of Environment and Energy for the role he played, in the 1970s and early 1980s, in the establishment of the Niagara Escarpment Commission and the protection of Niagara Escarpment lands, because I think that's something upon which we can develop a pretty good consensus in this province.

Where we must be vigilant, those of us who wish to protect that escarpment land, is in the appointments to the Niagara Escarpment Commission, for if you appoint to a commission whose obligation, whose responsibility is to

protect a unique piece of land like the Niagara Escarpment, if you appoint to that body people whose objectives are entirely different or entirely the opposite, then you have done no favour to the escarpment. You may have bent to those who are putting pressure on you, but you have done no favours. I'm counting upon my friend the minister to ensure that those appointments reflect that protection that is needed for the escarpment.

The issue of air has come up as well. The minister has made reference to the possibility of dealing with automobile emissions. That's a good objective; I support the minister in his desire to see that happen. There is on the books, waiting to be implemented, something called a clean air program. It was developed in 1990. It was a program that took some time to develop. It developed from about 1987 to 1990. It was announced in 1990 and it has never been implemented. I'm not here to be critical of anybody for not doing so. I simply say that a lot of the work has been done by our ministry and those who advise our ministry on how we might deal with air emissions, because as difficult as it is for the environment to have direct water discharges into the waterways of this province — in other words, from industries or municipalities or indirect discharges coming from the land; they're called non-point sources — the contaminants coming from the air and falling into our waterways are equally important. Some of those contaminants emanate from inside Ontario; some of them emanate from outside our province. In Ontario, we have an obligation to address the production of those contaminants and the problem they cause.

We also have an obligation to put pressure on others, particularly in the United States, to do the same, because their contaminants fall on the province of Ontario and our waterways as well. I remember having to go into court dealing with the Detroit incinerator. The city of Detroit was going to build a huge incinerator — did build it, by the way — and was going to use electrostatic precipitators instead of what we call scrubber baghouse technology to deal with the emissions from that particular plant. Ontario decided to go to court over this. It was expensive. Some considered it to be meddlesome, some considered us to be hypocritical because they said Ontario has problems, but we had an obligation to the people of southwestern Ontario to be involved in that court case. Members of this House will find amusing the fact that I had to appear in a courtroom in Detroit after I was minister. I remember that when I was Minister of the Environment my answers weren't always as precise and concise as members of the opposition would have hoped for, to put it mildly. A minister, as you may have noticed, really doesn't have to answer questions in this House.

Mr John R. Baird (Nepean): They always do, though.

Mr Bradley: They try — we've all tried, those who have been ministers — but they're not always precise.

Hon Cameron Jackson (Minister without Portfolio [Seniors Issues]): A difficult one to handle.

Mr Bradley: Exactly. The judge reprimanded me on a number of occasions for not answering questions and directed me to answer the question that counsel had placed.

Hon Mr Jackson: He was an elected judge.

Mr Bradley: Right, she was an elected judge. She instructed that I do so and I found that somewhat different.

The point I make is that Ontario was taking some initiative, through our own lawyers and lawyers we had hired in the United States, and we were being meddlesome because there were consequences of those emissions for people residing in Ontario. Eventually, the Americans lost the court case and were forced to put on the scrubber baghouse technology. I wish they had done it in the first place, but our initiative in Ontario helped to bring that about. We didn't persuade them, but we certainly drew attention to the problem and brought about a solution.

There are a lot of air quality problems that need to be addressed. I happen to think that in British Columbia the government is dealing with problems in the Lower Mainland where there are some significant pollution problems dealing with mobile emissions — that is, automobiles and other vehicles — and other emissions. I think we can do that in Ontario. The government is going to get some flak for that if they decide to proceed, but they won't get flak over here. They will get support if they move in that direction because it is important and we've seen some progress. To be fair, we've seen significant progress in reducing automobile emissions through pollution abatement equipment that's been put on vehicles.

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That doesn't come without a cost. Nothing of quality in our lives comes without some cost, and our vehicles may cost more because of that, but again I think Ontarians particularly are prepared to pay that additional cost. I'm not saying they're standing and cheering; they're prepared to pay that additional cost in order to have that quality of life. I suspect that's something that all of us, regardless of our political affiliation, feel strongly about in this House.

We have dump sites that are a problem forever, I must say. Because incinerators and dump sites, both methods of disposal, are difficult to site, difficult to operate, difficult to keep in perpetual care, it's important that we divert as much garbage, if you will, away from them as possible. We do that first of all by reducing the amount of garbage we produce, and that can be done. We do it by recycling as much as we can, and we have an excellent recycling program in this province. Many communities are proud of their programs; many businesses are now involved in some pretty interesting programs.

I remember the mayor of Mississauga, Mrs McCallion, being very proud attending — I think it was on the border of probably Brampton and Mississauga; it was in Peel region at least — an operation that was dealing with wood recycling. All we did before was either burn it or throw it away. Many people in the construction business today are reusing these products, are recycling these products very successfully. Some of you who have served at the local level remember some of the innovative ideas either you had as councillors or your staff had. They seemed to be small ideas at the time, but combined they made a significant difference.

So we certainly have to reduce and we have to recycle. I also believe that reuse is good: reuse, reduce, recycle. Those three are all important components. There used to

be a fourth that really meant burn. If we can avoid burning as much as possible, that's useful. It can't always be avoided. Again, the member for Dufferin-Peel is here. You have an incinerator in Peel region. When it was approved, it had some 31 conditions placed on it. It doesn't by any means take all of the garbage from that area, but it had 31 conditions placed on it. I suspect if you had to have an incinerator, it's one of the better ones you're going to find anywhere in North America.

I want to say there's no benign way of dealing with garbage. My friends in the farming community I talk to say, "I wish you people in the urban centres would quit dumping your garbage on our land." We try to avoid that. But farmers also can be impacted by emissions from the burning of garbage. The burning of garbage also produces an ash, the fly ash and the bottom ash. The fly ash, which doesn't make it to the bottom, often is toxic. The other problem with incinerators is that they tend to discourage people from using ways of diverting. In other words, it's great to have cardboard and garbage and so on for an incinerator, so there's a bit of a discouragement there when an incinerator exists.

I want to be fair enough to say there's no easy way. Again, my friends from the Halton and Peel area would know how difficult it's been to site landfill sites. They're really hard to site because there are a lot of problems with them. Even the best of technology cannot guarantee there won't be problems. We've tried as a society to deal with those. I think a stringent process is necessary before the siting takes place, and as I say, diversion is necessary.

Pesticides: a great problem. Sometimes the pressure comes from farmers saying: "You must grant us the use of certain pesticides. Our American friends have them and we don't." It's really hard for a government to resist that because it does place our farmers at a competitive disadvantage at least for a short period of time or a medium-term period of time, and you're always going to wrestle with that problem. But often pesticides are detrimental to farmers themselves. There are people who have worked with them years ago, when we didn't know as much about pesticides and how to protect ourselves from them, who have had health problems. So we've improved our ways of dealing with them, and that's positive.

Now when you spray a yard, we have some signage that's necessary. I know that's onerous. I remember getting a letter from a person who was in the department of recreation in some city in Ontario. I won't mention the city; I don't want to embarrass the person. The letter came and it said, "We really appreciate what you're doing and we need all these environmental issues." It was very complimentary about the government's aggressive program in the environment for the first two paragraphs. In those letters I always look for the word "but," and I found the word "but." It said, "But do you realize you're going to cost the city" — whatever that city was — "\$50,000 more through the way you're going to force us to deal with pesticides"? I think it was worth it to protect the waterways, to protect the soil, to protect animals, to protect some plant life, to protect human beings in that community.

That's why I become concerned when I see the government moving in a different direction, catering to people who have always hated the Ministry of the Environment, and there are many people out there who have; I must say that. I used to go to some places and they would say, "The Gestapo has been here." What they really meant was the investigation and enforcement branch of the Ministry of the Environment. That's a very uncomplimentary term to use, and they didn't really mean it as strongly as that, but they would say that because they did not like that group coming to the plant. But you've got to have that, because if you don't, you won't protect the environment.

Look at what the government has done in terms of removing from the Hydro board of directors some people I would call environmentalists. I don't expect that the government, if it had 15 people on the board of directors of Ontario Hydro, would put 15 environmentalists on it. I don't expect that. It's unrealistic. It may not even be good to have that many people of that ilk on the board. But I think you make a mistake when you remove those who are there. There should be a representation, perhaps a significant representation, of the environmental community or at least people with an environmental conscience on the board of Ontario Hydro, because it has the potential to cause environmental problems in our province.

I see that you now permit contaminated soil to be used as cover at landfills. Again, a difficult issue, not an easy issue. "What is 'contaminated'?" is always the question that is asked. I think you have to proceed with caution when you do that.

You've exempted the Ministry of Finance from the Environmental Bill of Rights. I must confess that I never thought the Environmental Bill of Rights would have a major impact in Ontario. I thought it would make people feel good. As a minister, I never brought in an Environmental Bill of Rights. My friend Bud Wildman, who was the minister, eventually developed one. It was significantly watered down from earlier proposals, but he brought in a bill of rights. In fact, I have it personally signed by him. I was at an auction here at the Parliament Building about two years ago where the members of the press gallery have an auction with the proceeds going to the United Way, and one of the items was an Environmental Bill of Rights signed by Bud Wildman, Minister of the Environment. I have that in my constituency office. People may find it odd that I would do that, with another minister's name and another party's name, but it was one component. What's the problem with that? The problem is that you have exempted the Ministry of Finance from obligations under the Environmental Bill of Rights.

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It reminded me of a major debate that took place within the Peterson cabinet over major laws that would apply to polluters. I thought one of the more significant changes to the legislation was one which removed the words, "This act does not apply to the crown." "Crown," as those of us in this House know, means the government. Previous to that, the tough penalties contained in legislation did not apply to the government. But I thought the government had as much an obligation as anybody in

the private sector to live up to environmental laws. If we couldn't live up to our own environmental laws, we made a much weaker case imposing the same laws on others. So when I see the Ministry of Finance being exempted from the provisions of the Environmental Bill of Rights, I consider that to be a step backward rather than forward.

You have terminated public environmental education grants. Part of the way you deal with the environment, not the only way, is through education, schools particularly. Those of you who have children or grandchildren in the schools or who visit the schools will know of the enthusiasm of teachers and students for improving the environment. Some of the material they have is material which has been produced over the years by the Ministry of the Environment of Ontario, which has been very helpful to those people.

When you end the grants for those purposes, you tend to diminish a program which is very beneficial because it's developing new attitudes in children at a formative age, at an age when they can be easily influenced, at an age when they're forming their own opinions and their own habits. We're seeing a new generation. Many adults would say to me, "You should see how my kids tell me I can't do something." As adults, we would be putting something in the garbage and the youngster would say, "No, that doesn't go in the garbage. That goes in the composter in the backyard," or in the recycling bin. It's a minor thing. Of itself, it perhaps doesn't make a big difference. The cumulative effect and the educational effect are very positive because they develop a new attitude, a different attitude toward this.

You have as well, I think, cut out or cut back — one of the two — grants to universities for research in the field of the environment. Again, some of the best research done in the world has been done here in Ontario in universities and colleges and in the private sector, and we can be proud of that. We've exported that knowhow, we've exported the products, and I think it was a good program because it paid dividends. It brought more money back to the government in the long run and improved the environment and therefore saved a lot of money that might be spent on remedial projects. So I think it's ill-advised and shortsighted to cut those programs out. Perhaps you have to be more careful; perhaps you have to be more selective. I don't say you don't have to, because that's necessary facing the fiscal responsibilities and the fiscal situation that you do. I don't object to that at all, but I don't think it was wise to eliminate the programs as a whole.

You have terminated urban and rural beaches cleanup and restoration programs. I think one of the potential success stories in many of our communities is the restoration of public beaches. In St Catharines we have had our beaches closed a lot of the year. My friend from Niagara-on-the-Lake could tell me how often the beach in Niagara-on-the-Lake would be closed; it's quite a nice beach down there. A lot of money started to be spent on the separation of storm and sanitary sewers, on retention tanks which allowed rainwater to settle, to be caught first of all and not flow all at once into waterways. There were significant improvements and expansions taking place in regard to sewage treatment plants — or pollution

treatment plants, as we call them — in our various municipalities.

That had a positive impact. Everybody knew it wouldn't happen overnight, but once in a while now in Toronto, in St Catharines and in other areas the beaches are open. They're not open all the time. When there's a major storm there's still a problem, when there's a shock to the ecosystem there's a problem, but at least we're seeing some significant improvement and people are again beginning to enjoy recreational waters that they enjoyed in the past, because not everybody has a pool at home. Some people can't afford it. Some people would actually prefer to go out into the outdoors, to a public beach. I see that there have been significant cutbacks there.

One of the other areas I want to caution members about is the privatization of significant segments of the Ministry of Environment. The Ontario Clean Water Agency, as the NDP established it, became an independent agency of the Ministry of Environment. I never did agree with that. There were people within the Peterson government who recommended that happen and I was successful in preventing that from happening at the time. I remember it was a proposal. It wasn't a malicious one, but it was one I didn't feel was in the long-term benefit of Ontario and its people.

The NDP chose to take it out of the Ministry of Environment and make it an independent clean water agency. Now the government is proposing to privatize the system of the provision of water and sewage treatment. I don't think that can be successful when the Ministry of Environment is cutting its abatement staff, research staff and enforcement staff.

The experience in Britain has not been a successful one. Margaret Thatcher wanted to take off the books as much government expenditure as possible, and there was an ideology which said that the private sector will always do better than the public sector in various areas.

Hon Mr Jackson: Frank McKenna was the first.

Mr Bradley: Frank McKenna was another. Someone, a friend of mine in New Brunswick, said, "The best Conservative Premier New Brunswick has ever had." I don't know if that's true or not. I hope Mr McKenna isn't watching this on satellite TV, but if he is, then he has not much to do as Premier of the province.

Mr John L. Parker (York East): Maybe he could read it in his Hansard subscription.

Mr Bradley: What I might say to the member for York East is that he's correct. One never knows what is going to come from members of various political parties.

I think privatization is not good, because I don't think you are going to get the water produced for drinking purposes and treated for discharge purposes at as low a rate as you're going to when it's in the public sector, and I don't think you can ensure the quality of that water as well as when it's in the public sector. The clean water agency can do that. You need a lot of testing, you need a lot of supervision, you need a lot of enforcement, you need a lot of abatement and you need a lot of prevention of contamination getting into sewer systems and, of course, into water production systems.

The minister stood in the House the other day and said to the leader of the Liberal Party, the member for Ottawa South, Dalton McGuinty, that the government wasn't privatizing. I've been in the House since 1977 with my friend from Carleton, and he knows how to answer a question without answering a question.

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Mr Sean G. Conway (Renfrew North): Norm's working too hard; I think he needs a rest.

Mr Bradley: He may need a rest, but his answer suggested that there wasn't privatization. But when you turn it back to municipalities — and these are largely smaller municipalities that don't have the wherewithal to produce water themselves or to treat sewage themselves — they're going to end up turning to private companies to do it. The Ontario government used to do that through the Ministry of Environment and then through the Ontario Clean Water Agency. I hope that members of the government caucus will caution the government not to, on an ideological basis, with an obsession for getting every expenditure off the books, abandon those municipalities to private water suppliers and private water treaters.

I notice as well that you have proposed reducing wetlands areas to which strict development restrictions apply. Wetlands are so important to our urban municipalities. We have a lot of subdivisions in urban municipalities. We have a lot of commercial and some industrial development. All of those are considered to be appropriately placed within urban boundaries and are to be expected in an area designated for urban development.

But what makes urban development tolerable, what makes urban areas more livable, what provides us with a higher quality of life, are wetlands areas which allow wildlife right within an urban municipality. Even in Niagara-on-the-Lake Dr Lemon has developed a method of treating sewage using swamps or wetlands, and some significant research has gone on in that area. They provide us with environmental areas, they provide wildlife, they provide a lot of positives for our community. Yet, under your Planning Act changes, you have proposed reducing wetlands areas to which strict development restrictions must apply.

You're now permitting the sale of environmentally sensitive lands protected by conservation authorities. Previously, they were prohibited from selling because it was considered to be in the public interest to maintain that land. Now, through your drastic reduction in funding to them, you are compelling them to get into the retail business, retailing that land which should be kept for others. I know it's nice for estate development. I know of someone who has a lot of money and who wants to build a home on it. It can be very nice. But this is something that has been enjoyed by all the people of the community and that should be retained by all the people of the community.

You have also removed legislated restrictions on the development of public lands. I've touched on that to a large extent, but again, they aren't making land any more. Was it Will Rogers who said that, who one time said, "They're not making land any more," so it was good to retain it? It's either Will Rogers or Norm Sterling, one of

the two. That's true and that's why it's important to use our present land as well as possible.

Municipal people will know that you have terminated household hazardous waste programs. That's unfortunate. There's probably a more efficient way than some communities have developed to deal with household hazardous wastes. The easy thing to do is to dump them down the drain, throw them in the backyard, put them in the garbage, dig a hole somewhere and put them in. But municipalities, with the encouragement of the Ministry of Environment, had developed programs where you or I could go with our old paint cans or some old pesticides or other toxic substances, take them on a household hazardous waste day and have them appropriately disposed of by a company expert in the field.

Then we moved to a different technique, I think even more effective. We had a permanent depot so people could do that. It's probably difficult to do, having a company pick it up — not impossible, but more difficult to do — but we had those.

The government sends the wrong signal when it discontinues its funding of those programs. Municipalities now, because of a very significant reduction in grants from the provincial government, have to look carefully at how they're going to spend their dollars and meet all their obligations, so some are abandoning this program or cutting it back considerably. Again, in the long run we pay for that through the costs of remedial environmental work.

Bill 57, I believe, is not a step in the right direction but rather part of a pattern of moving in the wrong direction. I believe it will have a detrimental effect overall on the environment on this province, and on third reading I am calling upon the government to not proceed with third reading of this bill but to bring it back for further consideration and amendment.

The Deputy Speaker (Mr Gilles E. Morin): Questions or comments?

Ms Shelley Martel (Sudbury East): I want to begin by commending the member for St Catharines for his comments here this evening. Having been a member at a time when he was Minister of the Environment and having watched him on more than one occasion avoid answering questions directly, I would have liked to have been in Detroit to see a female judge try and force him to do just that, because we didn't have much luck when we were on this side and when he was over there.

Having said that, I appreciate that the member made clear the context in which we are debating Bill 57 tonight. That context is that this government has decided that to help finance its tax cut to help the rich and famous, it is going to cut huge numbers of staff and make huge cuts in ministry budgets. That is exactly what is happening at the Ministry of Environment now. We have already seen this government cut some \$200 million from the operating budget of the Ministry of Environment and Energy; we have seen 750 staff given pink slips and motioned out the door.

It's no wonder that the government is looking for the ways and means to try and offload its responsibility on to industries by allowing industries to self-regulate or self-police or self-monitor or whatever else it can do to avoid

MOEE inspectors going into those plants. It's no wonder that the government is looking for any numbers of ways and means to cut permitting, to cut approvals, to cut certificates of approval, because all those things require staff, and you folks don't have the staff any more because you've been too busy ushering them out the door.

If the government is truly convinced that all it's doing in this bill is in fact cutting some red tape, is in fact making it easier for business to operate, I have to ask the government why it is that in this same bill they protect themselves from all liability. Only a government that is afraid and worried about the possible consequences to the environment would put, in an environmental bill, a protection for itself against liability. I think you're going to have huge and significant environmental problems and this bill goes a long way to making sure that happens.

Mr Tom Froese (St Catharines-Brock): I'm always amazed that my colleague and friend the member for St Catharines can stand up and talk for an hour and a half.

Mr Bernard Grandmaitre (Ottawa East): It's easy.

Mr Froese: Yes, it's easy for him, no doubt about it. But really, I don't know what the point was that he was making. Maybe it's the lateness of the hour or him being here till midnight last night. I'm not sure.

One thing I know is that he talked about my family and what great farmers they were, and he's absolutely right. He talked about the tender fruit industry and the grape and wine industry, the environmental issues on those points, and also the Niagara Escarpment and the environmental issues surrounding that. He talked about our minister, the Honourable Norm Sterling, and his concerns about the environment, and how much he appreciates — he praised the minister for what he was doing. I completely agree with that.

Where we differ is that he believes that in order to save the environment, we need to put more resources, more money, into the whole issue. But things have changed and improved. It's a credit to both governments from the other side of the House and a credit to the industry and individuals in the community. The environment is an issue we're all concerned about, but what we have to do is revisit what we're doing and what we're spending and be more efficient, not just throw money at the problem. We have to look at different ways to do it. Part of this bill speaks about that.

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In the Environmental Compensation Corp, for instance, the average compensation paid out was \$69,000 over its 10-year life to only 89 applicants, and it cost the taxpayers \$3 million. That's not really being responsible with taxpayers' dollars.

The law is clear and unchanged and the environmental safeguards remain in place. That's what Bill 57 does.

Mr John C. Cleary (Cornwall): I'd like to comment on some of the remarks the member for St Catharines made. He touched a bit on the Ministry of Natural Resources. In our area they made a regional office, and many of the inspectors who live in my riding have to travel all the way to that regional office to pick up their pickup trucks and what they need and then travel right back to where we live and do their inspections and everything else that goes along with it as part of their

day's work, and then travel back to the regional office to take the truck back and then return home. It's a big issue in our area. Some of my constituents speak to me about it on a daily basis and think that's very unfair, all the time they're wasting on the road when they should be doing their work.

The other thing is the conservation authorities, of which I have been a member for many, many years. They did a lot of good projects in our area, but now they're downsized so much the municipalities are striving to see how they can pick up the slack in the things they used to do. They know they're not going to have the money because the government is cutting way back on the revenue to the municipalities.

The other thing that I was pleased my colleague mentioned in agriculture is the big issue of pesticides. Other countries are using pesticides that it's illegal to use in Ontario, and it's putting the farmers at a great disadvantage.

I could go on and on. There is a number of other things, but thank you, Mr Speaker.

Mr David Christopherson (Hamilton Centre): It's a pleasure to rise and compliment my colleague from St Catharines on his hour-and-a-half dissection, and I think a very good one, of what this government is up to and what it means exactly to the environment and to the people of Ontario. I might say, those facts are quite contrary to the statements and words you hear from the government; their words never match up with the actions they're doing. A good opportunity, such as we've had this evening, to hear from a former environment minister is an important way of educating the public in what's really going on.

I want to mention this. During his tenure as environment minister I was an alderman on Hamilton city council and found myself, much to my chagrin as a dyed-in-the-wool New Democrat, complimenting him as the environment minister; never doing enough or moving fast enough in the areas I cared about, but certainly moving in the right direction. I think he made an important contribution to the agenda in this province that says we are not going to rape the environment and deprive future generations of a decent environment so we can make a quick buck today. I think that's part of what the member for St Catharines was conveying this evening.

When we hear of a third of the budget in the Ministry of Environment cut, \$200 million, and 750 staff cut, and regulation after regulation gone — not awful, mean, evil red tape, as the government likes to call all regulations, but important protection for the environment — as we see that decimated to make way for their corporate pals to move in willy-nilly and make a fast buck at the expense of the future, it's enough to make anyone sit down and cry, truly weep over what we're about to lose because you're in here paying back your political debts and paying for it with our environment.

The Deputy Speaker: The member for St Catharines has two minutes to respond.

Mr Bradley: Thank you to the members for Sudbury East, St Catharines-Brock, Cornwall and Hamilton Centre for their input; all had important things to say.

The member for Sudbury East underlined the fact that the tax cut the government is embarking upon is costly, not only in that they have to borrow \$5 billion a year to finance it, but also because of the greater-than-anticipated cuts in ministries such as the Ministry of Environment. That's a price we pay in the quality of life.

The member for St Catharines-Brock underlined, appropriately I think, the importance of the agricultural community and the amenities we have in our area, and also the importance of trying to do a job as efficiently as possible while doing it effectively. I don't think anybody would quarrel with that. Our quarrel is that the government is moving too drastically, too quickly, and in the Ministry of Environment removing too many resources for the ministry to be able to do its job appropriately.

The member for Cornwall points out another very important problem; that is, where a lot of offices are closed down, people who work for various ministries such as the Ministry of Environment or the Ministry of Natural Resources spend a lot of their time travelling rather than spending the time directly on the job, as they would like to do. That's a consequence, again, of very substantial cuts in funding. He also mentioned the fact that municipalities have fewer resources to carry out their responsibilities.

The member for Hamilton Centre represents an industrial city. He recognizes fully the impact of pollution on his community. As an alderman, as they were called in Hamilton at that time, he among others was putting appropriate pressure on the Ministry of Environment to undertake activities that would be environmentally beneficial to Hamilton and other communities.

I appreciate those remarks from members of the House. I look forward to further debate on this legislation.

The Deputy Speaker: Further debate?

Ms Marilyn Churley (Riverdale): I once again stand tonight — I hope the member for Northumberland will be back soon, because I suppose there is still an opportunity that this bill might be withdrawn and changed.

Mr Galt: I'll be here for your last 85 minutes.

Ms Churley: I hope you'll be back soon.

I feel quite upset about what is happening with environmental protection in this province under this government and I've risen in the House on many occasions to speak about why. What I hear back from the government, if they bother to listen at all, is: "Oh, it's just opposition rhetoric. We're actually doing more with less. We're cutting red tape. We're going to take the money we save from cutting red tape and put it into real environmental protection. Successive governments before us didn't know how to protect the environment. They used regulation and inspectors and compliance officers to protect the environment." There's something wrong with that, according to this government.

They look so foolish standing in this House, the Premier, the Minister of Environment, standing in this House and saying: "We're doing more with less. We're protecting the environment. Don't worry." It seems the member for St Catharines, Mr Bradley, who was an environment minister, the former member for Etobicoke-Lakeshore, Ruth Grier, and the former environment minister from Algoma, Bud Wildman, didn't know what

they were doing. They just tried to regulate and tried to keep an eye on things and prosecute and make sure the ministry was properly funded, that there were enough inspectors and enough compliance officers.

2120

In my time in the NDP government, for a short time I was parliamentary assistant to the Minister of Environment before I became the Minister of Consumer and Commercial Relations. I should tell you I did something at the ministry I'm very proud of. One of the first things I looked at when I went into that ministry, because of my interest in protecting the environment — I believe all ministries should be involved in protecting the environment. I asked what issues were there that I could get my hands on and improve, and I'm almost scared to tell these guys this, because maybe they haven't discovered it yet and that's why it's been left alone. I am proud to say that I brought in, under our government — and Mr John Swaigen who is an expert in this field and has written a book about it could correct me if I'm wrong — the strongest regulation we have to protect our drinking water from leaking underground storage tanks. All members would know about leaking underground storage tanks because in the 1950s in particular there were hundreds of those things put in without proper double walls and they're leaking all over the place. Those still remain to be cleaned up, but I'm proud to say that our government brought in the toughest regulations around, which hadn't been done before.

What we found when we were in government was that despite all the regulations this government says we don't need any more, despite the number of staff we had that this government is systematically laying off — some world-renowned experts in their field, like the expert in acid rain. I was ashamed when this government laid this man off, threw him out like a piece of garbage, because we were so proud to have him there. Believe me, our acid rain problems are far from over. He's gone, along with a host of others, about a third from the ministry.

What we found when we came into government and when I was at that ministry was that we needed more resources. I know from my own community, from the litany of environmental problems we had in the industrial south end of the riding — what got me into politics in the first place was fighting some of this — that we needed more resources. Of course, we went through the worst recession since the 1930s. As everybody knows, we did some downsizing ourselves, and it was very difficult to do. But I can tell you, at a time when I wanted to see more resources at the Ministry of Environment — and I think we do need to improve some and change some of the outdated regulations, throw them out, get rid of them, update them, no problem. I've always said that. In fact, in many areas our party had begun to do that. But you know what the big difference was? We consulted with environmentalists and community groups. We did consult with them and we consulted with industry.

I know it's tough. It is really hard to sit down at a table and discuss these issues, particularly when you have people on absolute opposite ends of where they think we should go. You've got on one hand industry wanting as few rules as possible to make as much money as possible,

and you've got on the other side environmentalists and community groups who are concerned about the health of their children, concerned about species preservation, concerned about the air we breathe, the water we drink and wanting to make sure that environmental safeguards were in place to protect their health and the environment for future generations. You have two sides, you sit down and it's really tough trying to find the compromises, trying to find the best route to take, and sometimes, as my friend from St Catharines said earlier tonight, you have to take sides.

What this government is doing, absolutely, completely, from day one, is taking the side of industry. By now, as the critic for environment and energy, I have been through several bills that impact on environmental protection in this province. I went through the Planning Act. Many people may think the Planning Act has nothing to do with the environment. I can assure you it does. It was a major component of our environmental protection legislation throughout the term of our government.

And boy, did we consult. We sent John Sewell and three other members of a panel, including Toby Vigod, an environmental lawyer who had worked for years at CELA, the Canadian Environmental Law Association, and a municipal rep. We made sure that all interests were represented. I can't remember, but I believe it was three years that we had people out there with our own government legislative hearings, plus the John Sewell commission went out to almost every little town across the province and consulted with people.

At the end of the day, yes, there were some compromises made in that bill that I wasn't happy with as an environmentalist, and I know there are some areas where environmentalists wanted it to be stronger. Overall it was a compromise but there were some really good things in there. Most people said they could live with it, although as soon as this government came into power, it was interesting: Many municipalities that said they could live with it suddenly couldn't live with it because they saw their opportunity to have it dismantled. But there was a huge amount of environmental protection within that planning bill which has been wiped out, gone.

One of the aspects was urban sprawl, which is of particular interest again now. I'm glad the member for Dovercourt is here because he is our critic on the GTA. Here we are in the process of having a lot of trial balloons out there as to what's going to happen with the city of Toronto and York and East York and Scarborough. Who have I left out here?

Interjection: Etobicoke.

Ms Churley: Etobicoke. We don't know yet, because one day the Minister of Municipal Affairs is saying one thing, then the Premier is saying another thing. The Harris government doesn't know whether it's coming or going on this, but we do know that we're concerned about urban sprawl for a lot of reasons. We can't be giving developers carte blanche to go out there and just build, build, build over farm land. The interesting thing about that is that it costs taxpayers way more money at the end of the road.

This all ties in with development charges as well, because that's being changed. As we know, Hazel McCallion and others are very upset about that.

Mr Conway: Hazel upset?

Ms Churley: Hazel is extremely upset with the Harris government, much to our surprise. This government, the Harris government, had to go pretty far to get Hazel. She was always upset with us, with the NDP.

Mr Conway: I think Hazel's upset with most.

Ms Churley: Well, we didn't expect she was going to get too upset with the Tory government but, boy, is she upset. We have seen Hazel mad.

Mr Conway: I'll be back shortly.

Ms Churley: I'm glad the member for Renfrew North is coming back. Thank you.

What we have here is a situation where the Planning Act has been completely gutted. In fact, once again, as with all of the bills that I've seen coming from this government, it not only wipes out new legislation which the NDP brought in, but it reaches way back into not just what the Liberals brought in but it reaches back into and touches and rips out legislation that the former Bill Davis government brought in. This is really regressive stuff.

This is not about protecting the environment, and I believe the member for Wellington — I'm going to single him out — knows that. Perhaps he will speak later. I believe any intelligent member who really wants to know what's going on in terms of environmental protection in this province, if they read the stuff and listen to the critics out there, they will know we've got a very big problem.

What we have here are a number of bills, and I mentioned the Planning Act. I'm talking about all of these things, in case you need to know, because this Bill 57 tonight cannot be dealt with in isolation. Believe me, there are some huge problems with it which I've talked about before and will again tonight, but on its own, perhaps reluctantly lived with, within the context of all the other deregulation and cuts that have been made and more to come, we know this bill is devastating within that context. I am setting the table here so you will see, you will get a picture of how this Bill 57, this particular bill, yet again another deregulation bill brought in by the Harris government, fits into the whole environmental deregulation picture.

We have the Planning Act, which guts environmental protection. I don't know if anybody whatsoever is paying attention to this because there is so much of the big stuff that's going on.

2130

There is a group out there that put out a — let me see, it came out Monday, December 9 — who are really worried about energy efficiency deregulation. Did you know about that over there? I don't think many people know about it. How can they hear? I don't know if it's strategy or accidental that you've got your government coming through with the big stuff — education cuts, health cuts, municipal changes — that so many little things going on get hidden. But this is very serious stuff.

This is a press release put out by a group that says: "Energy efficiency deregulation to cost new home buyers \$15,000." Now, we're talking about money. Here you have a government that is telling municipalities that they can no longer decide themselves on development charges because they want to keep prices down for new home

buyers. Right. Well, I would say that developers are going to make more money. I don't have any evidence it's going to be passed on to home buyers.

But here we have evidence that the energy efficiency deregulation under the building code — how many people here know? Do you know? Does the parliamentary assistant to the Minister of Environment and Energy know about the deregulation under the building code? No. He's laughing as usual when I talk about these things. He's supposed to be the parliamentary assistant to the Minister of Environment and Energy. I'll bet he doesn't have a clue because it's not in his ministry.

I want to tell the parliamentary assistant tonight that he should talk, if he cares about the environment, to his pal Al, the Minister of Municipal Affairs and Housing, that pal Al, about what's happening to the building code, because not only is it going to interfere with energy efficiency —

The Deputy Speaker: Order. We don't refer to "his pal Al."

Ms Churley: We don't?

The Deputy Speaker: No. I think you know the member. You especially would know better than others.

Ms Churley: I will certainly withdraw it.

The Deputy Speaker: I ask you to refer to the member for St George-St David — rather, the Minister of Transportation.

Ms Churley: Or the Minister of Municipal Affairs and Housing.

The Deputy Speaker: That's right.

Ms Churley: It's not a mistake. I don't think anybody's ever been called on that in the House before, but I accept the Speaker's ruling.

Interjection.

Ms Churley: I certainly haven't.

I suggest that you talk to the Minister of Municipal Affairs and Housing about what is happening to the building code, because energy efficiency is being wiped out and it's going to cost — you should at least care about that — homeowners another \$15,000. That is because all of the safeguards on energy conservation within the building code are being wiped out.

The government is planning to turn its back on 20 years — here we go again — of steady progress in building energy performance standards by returning to the insulation requirements of the building code from the 1970s. We have learned so much since the 1970s about how important insulation is in homes with regard to proper energy conservation. As well, there are reductions in the requirement for heating and air handling systems.

The code changes are being organized around four principles in a document entitled, get this, Back to Basics. There are 650 changes proposed. Many of them are routine, but the most controversial out of all of those is the reduction in energy standards which is hidden in these 650 changes. They are proposing to reduce insulation requirements, and instead introduce an energy performance labelling system. The argument is, get this, that consumers will be allowed to choose how much insulation they need.

I can tell you from personal experience — I just sold my bigger house and I'm now living in a little hovel that I had to get renovated. My mortgage is going to go way

down, which is good, but if my contractor come to me and said, "Ms Churley, what kind of insulation would you like in your basement and how much would you like?" I wouldn't have a clue.

Interjections.

Ms Churley: You wouldn't have clue either, would you? They're laughing over there again. They support this. Can you believe it? It's an anti-consumer thing. How many people do you know — you can laugh at me if I admit I wouldn't know how much insulation makes sense in terms of energy efficiency in my basement, but don't you laugh at those ordinary people out there. I am sick of it. I am absolutely sick of your behaviour when you laugh at consumers. These people are going to be stuck once again with having to figure out their own insulation requirements for their basement. That is ridiculous. And you know what? The builders are going to be wanting to save as much money as possible. Are they going to advise them to get the best, energy-efficient insulation? No.

It's a joke to those people. Either it's a joke or they have no understanding of the kind of pain they're inflicting on the people of this province. Why are they doing it? To finance their stupid tax cut that is going to mainly benefit the rich in this province. They can sit over there and laugh all they want, because one day people are going to get what's going on right now.

I'm talking about the building code tonight. I've got a stack of little, tiny bills that people don't even know about. But you know what? They're going to find out. Polls show that people want protection of the environment in this province, and they're going to demand it.

The Canadian Council of Churches the other day, a very powerful group in Canada, had a press conference here. It was on Canada's position on climate change. They spoke from a moral and ethical point of view about what climate change is doing to life on this planet and what it can do. Is this government listening? No. They're just in this for the short term. Let's get that tax cut through now. Let's not worry about environmental protection now. Let somebody else worry about that down the road. As long as we can say three or four years from now that, boy, we gave you your 30% tax cut, who cares if your grandkids are going to be putting up with the weather changes that are happening that are going to have devastating impacts on them? Who cares? Not they, because they've got a tax cut promise to worry about. Who cares about the rest of it?

There was an ad, people may have seen it, in the Globe and Mail today. The David Suzuki Foundation — I'm sure these guys laugh at David Suzuki as well. There was an ad in the Globe and Mail today, the David Suzuki Foundation: Canada Breaking Promise to Reduce Greenhouse Gas Emissions. It goes on to talk about provincial governments as well. Now, they didn't single out this government, but I'm sure they had this government in mind. They say: "Despite the government's attempt to put a happy face on all of this, the voluntary program hasn't worked." That's the direction this government is moving in terms of environmental protection in this province. Why? Because that's what business wants and they don't want to have to enforce or make rules any more. It's just: "These are basically good people. Don't worry, they'll do it."

"Far from making progress" — I'm reading from the document again — "on reducing greenhouse gases, Canada is actually losing ground. Rather than going down, greenhouse gas emissions in this country are actually going up."

2140

Okay, listen to this. This is why I talked about energy efficiency in the building code and the Planning Act that's being gutted by this province: "Citing reports from the Royal Society of Canada and the intergovernmental panel on climate change, which represents the world's leading scientists and economists, the foundation is urging Canada's environment ministers in their meeting tomorrow to redefine their greenhouse gas emission policies based on the following findings: Energy efficiency improvements" — and I would like the parliamentary assistant to hear this — "of 10% to 30% can be achieved in most countries, including Canada, at zero net cost and could spur economic growth."

"Without new government policies such as energy efficient standards, building retrofit programs, reduced subsidies for fossil fuels and incentives for using efficient new technologies, these improvements will not occur. The longer it takes for government to introduce these policies, the more opportunities will be lost and the more costly the change will become. 'At this point there is very grave danger that Canada's energy and environment ministers will continue on their current paths,' says Fulton. 'Rather than face the failure and develop a realistic action plan to reduce greenhouse emissions, we believe they may try to manipulate the numbers and attempt to declare meaningful progress while there has been virtually none.'"

The issue of energy conservation is an important one, not just to those of us who represent people in Ontario but across the continent. This is a global issue that is taken very seriously by respected scientists. I don't think there's a respected scientist out there who any longer says that the evidence isn't there that these greenhouse emissions are causing serious problems on a global level with weather changes that are literally going to devastate life on this planet. That's pretty serious.

I know it's tomorrow. It's not today. It's not next year. It's not four years from now when the government can run on a platform of, "Hey, you've got your tax cut." We won't feel that much of a difference by then. It's not going to be on the top of people's lists. It's going to be on my grandson's list. He's just turned three. I worry about him. I do. It may seem silly. He's three years old. When he's my age — well, let's face it — I guess I'm not going to be here. I might. I'm pretty feisty; if anybody will hang in, I might be here. But I'm worried about him and I expect that there are people here who have small children and grandchildren, and you'll say you care and you think about them. If you do, take a look at the effects. Take a really good look.

Mr Galt: Whatever you say, Granny.

Ms Churley: The parliamentary assistant just said to me, jovially, "Whatever you say, Granny," laughing. Mr Speaker, I'm getting a little tired of that kind of response to what I have to say in this House. I'm getting really tired of it. If the parliamentary assistant wants to laugh at these kinds of issues or if he wants to laugh at me —

he's still laughing — I just don't understand the attitude. I've said this before: The parliamentary assistant may think I'm funny. He doesn't take me seriously. I know that. He has demonstrated that consistently for over a year. I'm used to it. I can take it. No problem. But what I do demand from the parliamentary assistant, and I demand it now again, is that he respect the kinds of issues that I'm talking about, that he respect the environmentalists who are out there, whom he also laughs at, makes fun of — I've seen it happen in this House — and at least demonstrate that he thinks that I and they have something important to say and that it's even possible he could learn something.

I know that's not going to happen, but I wanted to point out that as long as I stand in the House and talk about these issues and we have a parliamentary assistant for the Ministry of Environment who yells out to me something — what was it he said about Granny? — in a disrespectful tone —

Mr Peter Kormos (Welland-Thorold): Stupid as well.

Ms Churley: Yes, stupid as well. I don't know if I'm allowed to say that. It reminds me, it takes me back to the kind of sexism that exists in this House. You know what? I'm going to start talking about it, Mr Speaker, because I've had it. I have had it with the level of sexism that exists in this House. We had the member for Brampton North a few weeks ago when I was on my feet in this House — yes, I'm five feet tall, I admit it, and weigh about 100 pounds. I'm a woman and I have a soft voice. But I do my homework and I know my stuff and I have as much right to be in this House as those members, those men sitting over there in their blue suits day after day, half of them laughing at what I have to say. I see the same thing happen daily with the member for Windsor-Sandwich.

Mrs Margaret Marland (Mississauga South): On a point of order, Mr Speaker: I have too much respect for the member for Riverdale for her to be unhappy about a comment that she thought was directed at her. The member for Lambton and I were discussing our ages, at which point I admitted to my age and the member for Northumberland, behind me, said "Granny."

Ms Churley: This is not true. He was looking right at me, Margaret. I know he was speaking —

The Deputy Speaker: You know, look at my age. Let's have a nice debate, let's have a quiet debate and let's aim at the topic. Let's discuss the topic.

Ms Churley: You are missing the point, absolutely missing the point. Mr Speaker, this is the topic. I'm discussing something that needs to be discussed in this House within the context of comments that have been made to me, and it's going to come out because I've had enough of it. As I was saying, I see those kinds of derogatory, laughing responses happening to me and to the member for Windsor-Sandwich frequently; I don't know, perhaps with other women as well.

I just want to say, in closing on this part, that I am sick of it. When the member for Brampton North tells me I should go home and take care of my own kids when I'm in the middle of doing my job here at the Legislature, talking to the Premier, responding to the fact that

he's bringing in cold cereals when a breakfast club in my riding which serves hot meals to some of the poorest children in Canada is going to be closed down, I'm in the middle of that and a member of this government, a male member of the Harris government tells me I should go home and take care of my own kids — I'm hearing time and time again those kinds of comments. They can think them, they can feel them, there's nothing I can do about that, but I just want them to be on notice tonight that I'm not putting up with it any more — I hope that is clear — and I don't think any of the other women are either.

Coming back to the bill, I was talking about the building code. I'm hoping the parliamentary assistant can discuss it, because I think he didn't know about it. To be fair to him, I'm going to give him the benefit of the doubt tonight and suggest to him that he didn't know about it and that he should go and talk to the Minister of Municipal Affairs about what's in that bill and the impact it's going to have on energy efficiency in this province. It's got to be stopped; it's got to be stopped now. He should talk to the Minister of Environment as well, his boss. He should go talk to him because he's going to be at this conference tomorrow.

Does the Minister of Environment know this is happening? I would like to think not. I would like to think that if he knew about it, the minister would go tomorrow and say: "We're not going to do this. We're going to improve the building code. We're going to make it more efficient." That's what I am hoping, that we'll put back the things that we took out from the Planning Act, the energy efficiency components, because everything they're doing with energy efficiency goes against the grain of what world experts say about the need to bring in these programs to promote energy efficiency. It makes sense. It doesn't cost money; in fact, there's a payback at the end of the time. It creates jobs. It's a wonderful opportunity to invest in environmental industry, which is big and under threat by this government.

I would like the parliamentary assistant to take a look at that, talk to the Minister of Environment, talk to the Minister of Municipal Affairs, and see if an announcement could be made tomorrow or maybe, as a result of the meeting tomorrow, on Monday, so that we could be a little bit proud of our minister tomorrow, that he could go forward — I don't know, that sounds a little weird to say we're proud of him — to put something back that he took away. What we'd like to see him do is announce not only that he's going to put these things back but he's going to actually bring in some new regulation to bring down the levels of greenhouse gases in Ontario.

2150

The other thing that I have a major concern about in terms of Bill 57 and Bill 76 and all of these environmental bills, and I brought it up in the House in my member's statement two days ago, is who this government is meeting with. I'm sure the parliamentary assistant will say, "Oh, I've met with all of these people." I know that he did; they told me about their meetings with the parliamentary assistant. They found him to be a pleasant fellow, they enjoyed the meetings, but they didn't really get any commitments or information, anything of interest

out of those meetings. They knew it was PR, that the Minister of Environment was under pressure to meet with environmentalists, so what did he do? He gets his good friend Dr Galt — I'm sorry, I'm not supposed to say that; we forget sometimes — the member for Northumberland —

Mr Wayne Wettlaufer (Kitchener): You're actually talking about him in a complimentary tone? Do you know something about him we don't?

Ms Churley: Let me tell you, he can be a friendly, pleasant sort of person. He's got his faults, which I outlined earlier tonight. He's got a lot to learn, and maybe he learned a little bit tonight, or maybe not, but yes, we've travelled together on committee from time to time and he can be a pleasant, nice person.

My friend the member for Welland-Thorold is not liking me saying this nice stuff about the parliamentary assistant to the Minister of Environment here. He's really unhappy with this.

But the environmental groups — no, it's true — who said they met with you, found you a pleasant person to talk to. What's wrong with that? But they didn't get any new information or learn anything. At the end of the day —

Interjection.

Ms Churley: Yes. As my colleague the member for Welland-Thorold said, "Well, what does that get us?" Anyway, people are glad that he met with them, but the minister isn't meeting with them. These people want to meet with the minister.

I have here some letters. Mr Rick Lindgren, whom many of you have heard about, and I know the parliamentary assistant to the Minister of Environment is very familiar with Mr Lindgren, is counsel for the Canadian Environmental Law Association, and CELA and CIELAP and those organizations always do a very in-depth analysis of any new government bills. They have been doing that for years and years under all governments, and they have been critical of our government from time to time as well. The former environment minister from St Catharines will tell you very much the same thing.

They do very good work. You may not always agree with it, and I know this government, the Harris government, doesn't agree with anything they say, but I think they deserve the respect — I come back to that word again — the respect from the government that other governments from all three parties have given them before. With this government, the Harris government, they are not given that respect, and they're not given the time of day with the minister.

I have right here a letter that Mr Lindgren wrote — I'm just trying to get these in order, because there are several of them — to the standing committee on social development, the hearings on Bill 57, this very bill we're talking about today. He says:

"Dear Minister

"It was a pleasure meeting you yesterday at the standing committee hearings on Bill 57.

"In response to Ms Churley's questioning, you undertook to meet with CELA representatives to discuss your ministry's recent environmental initiatives. We were pleased to hear you make this commitment and would

like to meet with you at your earliest convenience, preferably within the next few weeks. Please instruct your staff to contact me to arrange a mutually convenient date for this meeting.

"We look forward to your reply.

"Yours truly,

"Richard D. Lindgren

"Counsel

"Canadian Environmental Law Association."

That was written on October 17. It was written in response to an event which took place — just a minute here. This one's dated October 17. At the committee meeting just a day before that, on October 16, the Minister of Environment actually came to the committee to give us his overview of the bill.

This letter I'm about to read now was written on December 3, 1996. Oh, I have to read you Mr Sterling's letter back to Mr Lindgren before I read that one. I can't find it, so I'm going to come back to that in a minute. Well, I don't even need to read it, because — oh, here it is: November 15.

"Dear Mr Lindgren

"I am writing in response to your September 17, 1996, letter regarding Bill 76 and to acknowledge receipt of a copy of your executive summary." In this letter — I'm going to skip some of it — he says: "My schedule is heavily booked and my commitments will not permit me the time to meet with CELA representatives. I can assure you that I listened to your presentation at the standing committee, and while I appreciated your comments and have considered your arguments, I believe the amendments proposed in Bill 76..." blah, blah, blah. "I appreciate your bringing CELA's comments to my attention."

That was one rejection from the Minister of Environment.

In the December 3 letter, again from Mr Lindgren to the minister, he says:

"Dear Mr Sterling

"This is to acknowledge your letter dated November 15.

"Your letter states that your schedule is heavily booked and that you will not be able to meet with CELA representatives. While we understand that you have numerous commitments as minister, we also note that you expressly committed on the record to meet with CELA representatives about your government's environmental initiatives. Indeed, the attached excerpt from the October 16, 1996, Hansard includes the following exchange between you and Ms Marilyn Churley after I concluded my presentation on Bill 57.

"*Ms Churley*: Perhaps I can use this opportunity to ask...if the minister would commit to set up a meeting with Mr Lindgren while we're both here today.'

"*Hon Mr Sterling*: I don't arrange my meetings, but I will make every attempt to meet with every group. I will certainly do that.'

"*Ms Churley*: Well, I can't get a commitment for you today.'" That's to Mr Lindgren.

"*Hon Mr Sterling*: CELA is a significant player in this business. I will be meeting with them some time in the future.'

"Accordingly, I am writing once again to request that you honour your commitment by meeting with CELA at your earliest convenience."

There are several more of these letters that have been bouncing back and forth. The upshot is that the Minister of Environment has never responded to the first letter written by Mr Lindgren asking for a meeting. Then he responds to a later letter that says, "I want to meet with you specifically on a particular bill." The minister responds to that one and says, leaving aside the first letter that asked for a meeting in general, "I don't need to meet with you." There's no comment about: "But I do know you'd like to meet with me about other subjects, other issues. I'm busy now, but sometime in the new year." It was very clear: no meeting. Not now, not ever. We're not going to meet with you.

2200

The interesting thing is that apparently the Minister of Environment made a mistake because he wasn't at the standing committee, according to Mr Lindgren, and could never have heard the comments on Bill 76 that the Minister of Environment said he listened very closely to. So he must have gotten that deregulation bill mixed up with yet another deregulation bill.

But I read these letters in particular because Mr Lindgren, for one, is upset. Mr Lindgren is a very intelligent, very bright young lawyer who works not for a lot of money, I want to assure right here and now the parliamentary assistant to the Minister of Environment. The environmental lawyers and policymakers I know who work for organizations like CELA, CIELAP, the Canadian Environmental Defence Fund, those kinds of organizations, do not make a lot of money, as has been suggested possibly by members of the opposition, and I saw the Premier on TV as well once suggesting that there's something in this for lawyers. Admittedly, there are some lawyers in big firms who make a lot of money in environmental assessments and other avenues; they do in all kinds of other fields as well. Why single out the environment? If you want to stop lawyers from making lots of money, boy, there are a lot of other areas that you can make some regulatory changes to and change legislation to cut lawyers out.

But this government specifically takes on environmental lawyers, and on the whole these people don't make a lot of money. Mr Lindgren doesn't. He's very, very knowledgeable and extremely committed to environmental protection, has a lot of good advice to offer this government, and they don't listen. They do not listen to a word he says. To add insult to injury, the minister won't meet with him. I thought I had a commitment. I used the opportunity within that committee meeting to get that commitment, and then he sends a letter saying: "No, I'm not going to meet with you; I don't need to meet with you. I listened to your comments with great interest. Amendments have been made. I don't need to meet with you any more." Nothing about a meeting to talk about further issues.

So, Mr Speaker — Madam Speaker. I'm very grateful to my colleague from Mississauga South, if you'll let me go off topic just for a minute here, who is taking the chair for me so that I can continue with my speech

tonight. I do want to thank the present Speaker for doing that.

The other issue in the context of the overall cuts and deregulation happening under this government to environmental protection is Temagami. There hasn't been a whole lot of talk about Temagami in the House, again I think partly because there are so many other issues going on that people are kind of swamped. I know I've been, as has my colleague the critic for natural resources. We'd both like to ask some questions, both to the Minister of Environment and to the Minister of Natural Resources, about what the heck is going on in Temagami right now, because we have all kinds of information that suggests the law is being broken by the ministry and perhaps by the minister.

Yet again today there was another press conference, and again I would urge the Minister of Environment and the parliamentary assistant to pay attention to what's going on in other ministries, because so much of what happens in other ministries impacts on the environment. That is why we as a government put steps in place, which still had a long way to go — it was baby steps, the beginning, needed to grow, a lot to learn — to have coordination between ministries to talk about impacts on the environment and make sure all the ministries coordinated that. That's been stopped, of course; there's none of that any more. But I'd like the Minister of Environment and the parliamentary assistant to be aware of what's going on in Temagami.

There was a group today which held a press conference suggesting that under the Environmental Bill of Rights they're looking at having the ministry at least, and maybe the minister, charged with breaking the law, because there's yet again another road, we found out today, being built on land where these people say it's illegal to do so without going through an environmental assessment. They're just going ahead and doing it. You can say what you like about Temagami and your position on it. There are many disagreements in this House on all three sides from time to time on the kind of logging rules in place in Temagami, but I would expect we all agree, and I would think the members of the government would agree, that the ministry, the government, should not be breaking the law at the very least.

As you know, Madam Speaker, our government worked for years with first nations and local people and environmentalists and representatives from all points of view on the Temagami issue. It's very tough. There are a lot of different viewpoints. But we were trying to build an approach that would protect the precious old-growth forest. We came up with an approach that not everybody bought into totally, I can guarantee that, but that at least everybody had a say in, and we came up with a plan.

Successive governments of Ontario — not only our government — have worked hard and have spent millions of dollars to resolve these very difficult concerns and to avoid the kind of conflicts which the Harris Conservatives are now aggravating there. What's happened is that the Minister of Natural Resources responded to the 39 recommendations of the comprehensive planning council last June and the government spin doctors have tried to claim that all the recommendations were adopted, either

without changes or with minor changes. We know that isn't so.

Many of the recommendations supposedly accepted haven't been implemented. I think one of the most important ones which hasn't been implemented is that the comprehensive planning council said there must be a land use plan and specified the necessary elements. But the Harris government went ahead with logging old-growth pine in the Owain Lake area. The ministry has actually closed its Temagami office and clearly has no intention, we know by now, of implementing a land use plan for the area during the past six-month logging season.

I would say that at the very least, and I would expect this government would go along with this too, until the land use plan has been written and approved and published and implemented, there shouldn't be logging of the old-growth pine ecosystems in Temagami. I think — talk about common sense — sustainable logging is important to everybody, not just the tree-huggers from the south. I know lots of people in the north think we don't understand. Okay, acceptable. There are issues around that, and although I don't agree with them all, I understand the mindset. But I know also that sustainable logging is important to loggers and it's important to people involved in the ecotourism business. I know jobs are important too, but I know these people would want a guarantee that the kind of logging that's being implemented is sustainable. Clearly, given what's going on now, that is not the case. There are scientists who say that less than 1% of the original red and white pine forest remains, and half of that 1% is on a remaining scrap in the Temagami area. So I would like government members as well to ask the Minister of Natural Resources what's going on there.

There have been several accusations now from various environmental groups that the law has been broken. We see this consistently. We're seeing it now with the health minister, who has had to resign. There are indications that all kinds of laws have been broken there. What does the government do but appoint a commissioner, the privacy commissioner, who can't really dig out the facts and find out just what laws were broken, who broke them and what the implications are of that.

2210

It seems okay for members of this government and ministries to go ahead and break laws. Who cares in this government? I would like to say to the members that people do care, that ordinary people out there do care. They expect their government to, at the very least, not break the law. They may not agree, not everybody, as we well know, agrees with Tory policy, but I think most people would expect the government to uphold the law.

Mr Speaker — Madam Speaker. I'm sorry. We do get into this habit. Now I understand when I'm in the chair and so many people say, "Mr Speaker," and of course it's because there's only one woman deputy speaker, so three out of four times, it's a man in the chair. We should all start saying, "Speaker," and then we wouldn't have that problem. I'm going to try to start doing that right now, Speaker.

On Bill 57, which we're debating tonight, I've gone through before in this House and in committee my very serious concerns with the bill. I listened very carefully to

the parliamentary assistant tonight when he gave his remarks, and he said the very same things that he said when the bill was first introduced. He said the very same things when the bill went to committee, and I suppose he will continue to say the very same things. He hasn't learned a thing or he hasn't listened to a word which has been said to him by tens of people — I lost count — who came forward expressing concerns about this bill.

He brought up tonight three main components of Bill 57. What I find really interesting is that he, the Minister of Environment, the previous Minister of Environment and the Premier, when asked, like to give very benign-sounding examples of the standardized approvals component, what I refer to as the permit-by-rule or cookbook approach.

They say: "People have to come and get a certificate of approval to put a fan in, a livestock fan or a restaurant fan? That's stupid. Why should they, every time they want to put in a fan, come and get a permit?" He's right. There's no problem with that. I did have a problem with the Premier, when asked, also trying to give benign examples, saying, "Well, if there's an oil spill on a floor in a garage, they have to report it." In my view, that's something that does have to be recorded every time it happens. A single litre of used motor oil can contaminate a million litres of water. That information was given to us by the Recycling Council of Ontario recently.

It may sound silly that if people in garages spill a little bit of oil, they have to report it. I think there's very good reason. It's a toxic substance. It goes into our sewers. It contaminates our water. As the parliamentary assistant said earlier tonight, we need to prevent, as much as possible, hazardous waste going into our landfills, our water, our air.

So, that's one that didn't even work as a benign use that shouldn't have to have a certificate of approval every time. But there are some that I agree, "Okay, let's take a look at these," but the problem is that the parliamentary assistant says these will be standardized approvals for uses with only predictable environmental effects. Well, we don't know that, because the minister won't tell us what these are going to be.

I asked the previous minister's staff, I asked the minister, the press asked the minister, we've asked the new minister, we've asked the parliamentary assistant, time and time again. They say: "Oh, don't worry about it. Trust us. You can be assured that they'll be only those with predictable environmental effects." But we don't know what it is.

The way the bill is written right now — and they refuse to amend it — it could be anything. It could be incinerations, it could be landfills, it could be anything. Why not amend that if they really mean it? Why not give us the list of what industries with predictable environmental effects if they're so sure that's all it's going to be? Why won't they do that?

They won't tell us what it is. They say, "That'll come later in regulation." That's very scary when we have wording in new legislation that literally allows anything to come in under this permit-by-rule or standardized approval. As I've explained before, for people who don't understand, it's like a cookbook: You look up the recipe,

and if you fit into that recipe, you don't have to get a certificate of approval.

The previous minister said it could be paint shops, restaurants, maybe dry cleaners. Well, dry cleaners use a lot of very toxic chemicals. We don't know what else. That's all we've been told as examples so far. Well, okay, livestock fans we got added tonight, restaurant fans, fine. But they only give us the benign examples.

The Acting Speaker (Mrs Margaret Marland): The member for Riverdale has the floor, and I would like to suggest to honourable members that if you wish to visit with each other, you might do it in the chairs adjacent to each other rather than across rows and across the floor of the House. It is becoming increasingly difficult to hear the member for Riverdale. Thank you. Proceed with the debate.

Ms Churley: Thank you, Speaker, for that. I may be losing my voice as well, but I won't, don't worry.

We haven't had any response to date, and we didn't get it tonight. We just can't get more examples. We'd like the complete list; yes, more can be added. But as it is now, we don't know what we're getting into, and that is very scary and very worrisome.

I want to speak as well about the ECC, the Environmental Compensation Corp, which is the payor of last resort. We had examples of this. We had people come to the committee — and I talked about this before; I meant to bring their letter tonight to read it — whose livelihood was wiped out because they bought a hog farm and there were spills in the water supply on their land. They came to our leader, who was then the Minister of Natural Resources, and they were given this option of the ECC, but they were told they had to go through all of the processes first, including the courts.

This really is the payor of last resort. The ironic thing is that the government says we don't need it because they don't pay out much money, that it costs more to run it than they pay out. I would say that's a good reason for keeping it. I would say revamp it, find a way to fold it into the ministry somehow, but don't get rid of it; they're doing their job. They really are the payor of last resort.

There are people who get stuck in very serious situations, innocent people, who could lose their life savings, their land, everything, after going through the system. When you have an owner who disappears or goes bankrupt, those people are stuck forever. They will get no compensation. They're now on their own, and if the court system can't help them, that's it, they are wiped out.

I don't understand at all why they're getting rid of this except, once again, to save a few million dollars to help finance their tax cut. They're desperate. They are again doing something that's going to hurt innocent people. A program that works really well: no argument that it wastes money, because I know they can't find one situation where money was inappropriately paid out. What happens with this? They get punished for doing a good job. I was hoping very much that the government would accept my amendment on that. But they wouldn't do it, for whatever reason.

I want to talk about the Ontario Waste Management Corp. We supported the government ending it. Its mandate is over, but they're throwing the baby out with the

bathwater. What our government did was to put in as its new mandate hazardous waste programs, to coordinate and pull together all the hazardous waste programs within this province. Well, they're gone now. What the government did was get up and crow about, "We've wiped out the Ontario Waste Management Corp." Fine, we all agree there's no need for it. But, once again, they also threw out all the valuable programs that went with it, with no replacement.

When I hear the parliamentary assistant, as I did again tonight, talking about, "Oh, well, the idea is to try to prevent it from happening in the first place," there's an amazing lack of detail. There are no hazardous waste programs any more. They've gone. Household hazardous waste programs, help to municipalities, all kinds, they're gone, and industrial hazardous waste reduction and reuse programs, gone.

2220

The other thing that the parliamentary assistant keeps bringing up is the new fee structure. I have no problem with charging fees for the work, recovering costs essentially, but that's not all that this does. It brings in tons of new user fees. That's what's happening here. That's what's going on. Community groups and environmental groups, those in our community, back home in our ridings, which may need some information, maps, other information from the government, they're now going to be charged, and we don't know how much; it's not within the bill.

There's great concern and fear that people are going to have to be — ordinary citizens groups, which have lost intervenor funding because the intervenor funding act ended and this government didn't replace it. It didn't cost the government a cent, actually; it was paid for by industry. They did not replace it, there's no intervenor funding any more, and now the government is going to start charging groups for all kinds of information that they used to get for free. I don't think that's fair. It doesn't make sense. It's once again this government going after innocent people in their communities. Why? Because they need the money for the tax cut.

Earlier, the parliamentary assistant talked about what this government is doing. How did he put it? The regulatory wheel, that they don't want to reinvent the regulatory wheel, that what they are doing is cutting red tape and that they're going to do more with less. I can tell you that nobody believes that, nobody. The government has got to understand that it's got to start coming clean with people about what it's doing, because when they stand up and say, "We're actually doing a better job of protecting the environment," they're saying, "We've cut a third of the staff, we've cut out \$200 million, but don't worry, we're cutting so much red tape that our resources are now better used and we're doing a better job of protecting the environment."

We have seen bill after bill after bill that systematically is cutting regulation, deregulating across the board throughout all of the ministries within this government. This bill is another example of the Tories letting corporate polluters write their own rules.

Speaker, I know you'd be very interested in this, and I expect you're following some of the things that are

happening. I know that you would be concerned if you accepted my viewpoint on this and if you accepted the viewpoint of environmentalists in your community, whom I know you've helped at times on various issues, and they know in certain circumstances they've gone to you and you've been very supportive. There's an expectation, Speaker, that you will continue to give that support. They'd like to think and I'd like to think that at least behind closed doors you speak up for the environment. I know from having been in government that there are times when it's difficult. You don't speak out necessarily in public but there are things you can do behind closed doors.

Believe me, what the Harris government is doing is absolutely devastating to environmental protection in this province. A bunch of people, hundreds of people — it turned out to be a very cold, snowy day — came to see the Minister of Environment. It was a couple of weeks ago. They went to the ministry because the minister won't meet with them. They entitled their flyer, "Come Clean, Keep It Green." They came out and they invited the minister and said: "Minister, you won't see us so we're coming to you. Will you come out and speak to us? Will you come out so we can tell you our concerns?" The minister said no, he wouldn't. As usual, he had a scheduling problem. He couldn't make it to that meeting.

Once again you have to ask, who is the minister meeting with if he isn't meeting with environmentalists? We know he has a heavy schedule. I know he has briefings. I remember what it's like to be a minister; there are a lot of briefings. I also know there are a lot of meetings. Who is the minister meeting with? The environmentalists say he's not meeting with them.

We look at the way bills are written and we begin to get an idea of just who this minister is meeting with. Some of the bills could be written, in some cases, by the industry. Of all the changes that environmentalists ask for, not one is picked up by this government, looked at seriously and bills amended to reflect the concerns of environmentalists. So who is the Minister of Environment meeting with?

When the government members protest and say, "We're only cutting red tape," I know they think I'm speaking a lot of nonsense, that it's opposition rhetoric. That is not the case. This is about far more than cutting red tape. This has cut already deep into the muscle. The environmental protection mechanisms within our province are severely under stress now and it's going to get worse. We can't be safe with a government that has cut the very stuffing out of the Ministry of Environment and Energy, that's clear-cutting our environmental laws almost on a daily basis. This is a government, the Harris government, that has already told mining companies that they don't have to get approval of mine closure plans from the ministry any more. We're not safe with a government that has gutted the Environmental Assessment Act, the Planning Act, the building code, and has more regulations out there that I know the minister has been reviewing. Almost every aspect of environmental protection is being gutted by this government.

The other issue that I want to explore briefly — and I've talked about all of this before but it didn't make any

difference in the final outcome of the bill. This is really interesting, Speaker, and I think you'd be interested in this. The government is exempting itself from any liability that may arise from this deregulation. If I recall correctly, the government also did that in the infamous omnibus bill, Bill 26. I can't remember if it was health; I think there are a number of areas where the government is already done this, changed regulation, deregulated and then made itself exempt from any kind of liability that could arise from the deregulation.

Why is it saying, "We won't be responsible for the consequences of our actions"? If the government is so sure, as it says all the time, "This is making things better; we are just getting rid of unnecessary regulation; don't worry, our environment will be better protected" — why won't it put its money where its mouth is? Why are they not letting the poor citizens who suffer because of some kind of negligence that is no fault of their own get some justice through the courts?

2230

There it is in the new section of this bill, that the Harris government is deregulating, changing regulations. At the same time, however, they say: "In case something goes wrong, we're not liable. You can't take us to court." I find that very alarming, particularly in the context that the intervenor funding is gone in one area. It's harder for people to participate in environmental assessments.

We have the situation now where the Environmental Compensation Corp, the payor of last resort, is gone. Now we see that there are changes in regulation. I say deregulation; the government says it's just getting rid of unnecessary regulation. Whatever you call it, although it is deregulation, you would think the government could stand behind its own conviction that we hear time after time, the mantra, and say, "Yes, we're doing a good job of protecting the environment, and we can be held liable if a spill happens and you can't get the culprit," which happens.

It's all very well for the parliamentary assistant to stand here tonight, which he did, and say, "The owner should be responsible." Yes, we all agree. That's the way it is now. If there is any kind of environmental disaster or problem, if there's a spill, the situation right now is that of course the owner is responsible. Unfortunately you have really good, responsible companies out there, you also have the less responsible ones and you have the fly-by-nighters. Terrible things happen to people. With the compensation fund gone and now with the government very explicitly saying in this bill that the government can't be liable, what happens to the poor citizens in your riding who come to you, they've had a devastating spill on their land and they're going to be wiped out?

Picture this: An ordinary family who've worked hard all their lives. They buy a piece of land. They set up a hog farm — like the people who came to see us — and they put everything they own into it. Somebody comes along and there's a spill. There's no compensation fund and the government isn't liable in any way. Their savings are wiped out. Everything's gone. The company has disappeared, say, and can't be found, let alone bankrupt. What are those citizens to do? The Harris government is saying to them: "Sorry, that's life. Sometimes people are

unlucky, and you got unlucky. You've had a bad thing happen to you. Too bad. Try to start all over again." There's nothing there for those people to fall back on.

Do you, Speaker, want to go out in your community and tell your constituents, when something like this happens — and I can guarantee it is going to happen. It's been happening to date, and I can guarantee with the deregulation and the lack of inspectors and people to enforce the law, to enforce compliance out there, because the government is firing them all — that's not a joke. They are being fired. They're being let go.

I see the member for Algoma is here now, who was the Minister of Environment, a good Minister of Environment who did a really good job under very difficult circumstances at times. He knows what I'm talking about. He knows when I say that no matter how hard we try, no matter how good the law is, no matter how many people we have out there inspecting and trying to enforce the law, these things happen and innocent people get stuck. That is why in a civilized, democratic society we have laws there to protect those innocent citizens. That's what this is all about.

This government is just ripping it out from under them. This is terrifying stuff. It is saying to citizens: "You're on your own. If a spill happens on your property and you go through all the normal channels, that's it, you're stuck." Furthermore, if it happens as a result of the government's deregulation, this bill, they can't even go to court. Not only is the payor of last resort, the compensation corporation, gone, and other circumstances, but if something happens to these people under this bill, they can't even go to court. That's what is going on here.

I've just touched on a few things about this bill tonight because I've gone over it and over it on committee and in this House. Tonight I talked a bit about the issues within the bill and I talked about the overall context under which this bill is falling. I talked about just a few — I barely scratched the surface tonight — of the deregulations and the cuts that have already taken place. As the critic for the environment, I've watched them all happen rather helplessly.

I know that not a lot of members in this chamber are paying a whole lot of attention to the environment. I know that. I know people are very busy with day-to-day issues, issues like the family support plan, where kids now, today, are getting hurt; where hospitals now, today, are being closed down; where tomorrow we may not have a city of Toronto any more; amalgamation of boards of education; things that are going to hit. Parents are very concerned about what's going to happen to the kids in the schools right here and now. There are so many day-to-day issues that are just hitting people now in the face, that are taking up their time and their energy.

I know that's true of members in the House I guess on all sides. Not a lot of people are paying a whole lot of attention to what's going on in the Ministry of Environment. I know my colleagues are. I know they don't know everything that's happening. In fact, I don't know everything that's happening. I try to know, but there's so much happening in secret, behind closed doors, that I and environmentalists and communities don't know half of what's happening. Even the Environmental Commissioner

put out a report recently, a special report to the Legislature, expressing concerns about the fact that this government continues to change environmental regulation behind closed doors, in secret, and is basically breaking the law because it's not putting it on the environmental registry.

This was a real slap on the wrist. It was supposed to be a wake-up call to the government, but they don't care. In particular they don't care because they think nobody's paying attention. They think all they have to do is stand up there and say: "Don't worry. Don't listen to anything environmentalists are saying. Don't listen to what the member for Riverdale is saying or the member for St Catharines. They don't know what they're talking about. We know. We're the first people ever in the history of the government of Ontario who understand what needs to be done to protect the environment. Why should we listen to anybody else? Don't worry, people. We're doing more with less. We're protecting the environment even better than before."

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They think they're going to get away with that. I think to some extent right now they are, because of what I said. It's not on top of the media's minds these days. I know that better than most people. It's certainly not on the top of most of the members within this Legislature, and it's not on the top of the minds, I would say, of the majority of people right now. But polls continue to show over and over again that people want their governments to protect the environment and, overall, people think governments are protecting the environment. They haven't quite figured it out yet, and partly it's because it's not getting a lot of media so the government is getting away with it. But I can assure the members that as soon as the media starts paying more attention and it starts becoming more of an issue out there and people become aware of just how far this government is going in terms of environmental protection and deregulation and cuts, the same thing will happen as happened in the United States.

This document which I have here, the Common Sense Revolution — yes, I keep a copy in my desk which I refer to from time to time. I looked high and low; the environment is not mentioned once in there. They don't make any promises about improving the environment, they don't make any promises about tearing apart environmental protection. It just wasn't even important enough to mention in their Common Sense Revolution.

I find that in itself interesting, but I think they're underestimating the interest and concern that people in Ontario have about protection of the environment, because they know that protection of the environment and our human health are so connected. We now know that carcinogens in different chemicals in our environment, the ones that build up in our bodies, the persistent toxic chemicals, including some chlorines, cause cancer. What did this government do? One of the things they're suggesting doing as part of their deregulation document — and not the one we're talking about tonight; another one that we haven't even dealt with yet. The former Minister of Environment will remember this. I don't know if it happened when Ruth Grier — I guess I can call her by name now in here — brought in the zero-discharge regs —

Mr Bud Wildman (Algoma): For AOX.

Ms Churley: — for AOX for the pulp and paper industry. The member for Algoma was the Minister of Natural Resources at that time. He's had a very interesting career, this person from Algoma.

Mr Tony Silipo (Dovercourt): Lots to go still.

Ms Churley: Lots to go still, we hope. But we brought that in and the industry started investing, got innovative, because there's a high demand now for chlorine-free paper.

Mr Wildman: E.B. Eddy is going to be at zero.

Ms Churley: I was just told by the former Minister of Environment that E.B. Eddy is going to be at zero. Would they be there if we hadn't brought this in? I don't know. But this government is suggesting that should be removed. Why, when we know that chlorine and other persistent toxins cause cancer? Breast cancer is one of the leading cancers in women in the western world, and we know that only a small percentage comes from genetic and biological reasons. There's a big mystery as to why —

Mr Wildman: Also birth defects.

Ms Churley: Yes, that's coming in the next three minutes. We know that these toxic chemicals are causing breast cancer and other cancers. We also know now, and what is even more frightening — I don't know if it's more frightening, but if you're faced with cancer in your own life I guess that's the most frightening, terrible thing that can happen. But in terms of the longer view, life on this planet — I talked about climate change and greenhouse gases earlier — there's evidence now that these persistent toxic chemicals are actually causing birth defects that are interfering with our very reproductive system and our immune system. This has interesting and frightening implications for the long-term viability of our species on this planet. It really does.

There's still a lot of research to be done, and what does this government do? The Harris government pays no attention to that whatsoever. Here we had a very small part of what needs to be done happening and they even wiped that out. It doesn't make sense.

I'm going to end now, and I suppose nothing has changed. I hope a few people have been enlightened a bit and have more knowledge about some of the things the government is doing to environmental protection in this province. It is very serious. It is not just opposition rhetoric. In fact, there's no opposition rhetoric in what I'm saying. I speak the truth. I speak of what I know is happening. I'm extremely alarmed, and so are those environmentalists and community groups out there that this government is not listening to. I say to the government tonight that I know this bill is going to pass, but I also want to put the government on notice —

Mr Wildman: Not for a while.

Ms Churley: "Not for a while," says our esteemed House leader, his career at the moment. It is going to pass. But I want the government to know that the fight has just begun, and the wheels are starting to fall off over there. I can assure you that while the NDP leads the fight on hospital closures and health care cuts and education cuts and all the other stuff that's going on, we will be at the forefront and fighting this government all the way on environmental protection in this province.

The Acting Speaker: Questions and comments.

Mr Galt: Thanks to the member for her hour-and-a-half presentation. Maybe I found it entertaining on occasion, maybe I smiled, and if that upset her, my apologies for smiling and concentrating on what she had to say.

I heard both the Liberal members and the NDP talking about saving a little money in the ministry. I'm sorry, but the spend-and-borrow, the status quo of what's been going on over the last 10 years, just isn't going to fly any more. There are other ways of accomplishing things than simply throwing more money at them, and sitting there with interest at \$8.7 billion this year is just not satisfactory.

We noticed over the last few years, with all the tax increases your government brought in, that you consistently took in less revenue, so that didn't work, did it? Maybe giving back and leaving some tax money in people's pockets will work. Give us a chance to see where to go. But certainly the status quo didn't work, and you know it didn't work. It just kept burying us further and further into the hole.

We talked about predictable and controllable effects on the environment, and yes, that's how the regulations will be written once we get this bill through. It makes a lot of sense to put through standardized approvals for those particular purposes.

I noticed that you mentioned that the government doesn't care. I recognize that your government did care: What you cared about was companies making a profit. Individuals out there actually having some money in their pockets? You didn't want that to happen. You wanted to take it all away, tax the companies, tax the industry so they couldn't possibly have a profit. You cared, and I can appreciate that you did. It's most unfortunate that this was the status we went through over the last five to 10 years.

Mr Kormos: Tell us about your debt, Doug, the \$130 billion.

Interjections.

The Acting Speaker: To the members who have just come into the House — the member for Hamilton Centre and Welland-Thorold, and the member for Algoma, who has been sitting quietly in the House — the noise in the House has suddenly been elevated. We've been having quite a peaceful debate here, and I would suggest to you that —

Interjections.

The Acting Speaker: I would suggest to the member for Welland-Thorold that he take regard to the standing orders, which do not permit interjections. We will continue. Further questions and comments?

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Mr Wildman: On a point of order, Madam Speaker: I want to apologize. I was provoked.

Mr Dwight Duncan (Windsor-Walkerville): I just wanted to respond to the member for Riverdale. She spoke passionately to the government about the need to listen and to hear what other people have to say and to take into account other points of view. She may not remember this, but when she speaks of that, she speaks truly from experience. I recall when she was a minister

meeting with her on a number of occasions on issues that were of import to my community, and I would think the government would do well to listen to that kind of message and be open to hear what groups have to say about their bills.

Environmental protection is important. Environmental protection means a great deal not only to us but to the future of this great province, and if we fail today to protect the environment we have, if we undermine our ability to protect that environment, we not only harm ourselves but we harm the future.

I think of the decisions in the past that I feel were tremendously ahead of their time that have preserved such sanctuaries as Algonquin Park and many other places. It would be my view that the government would do well to listen to the words of the member for Riverdale and listen to people and listen to the words of members like the member for St Catharines and the member for Algoma, all of whom have worked hard and, although we have differed politically from time to time on these issues, have stood firm and strong for the protection of our environment. I would hope this government respects that tradition in this province. I would hope this government understands the importance of that and puts aside the cheap rhetoric around the last 10 years. Those years are gone. They're past. We're talking about today and we're talking about tomorrow.

You ought to be talking about tomorrow and you ought to be talking about today. We ought to be dealing with environmental law and regulation in a meaningful and substantive way and we ought to be involving all the people of this province in that debate, because truly it's an extremely important issue.

Ms Martel: I want to commend my colleague from Riverdale, who is a tremendous advocate on behalf of the environment, always has been since the first time I met her, and always will be. She demonstrated that here again tonight.

Let's get right to it: The reason we're dealing with this bill, which deregulates environmental control, is because the government is interested in paying back its corporate friends who are more interested in making a buck than they are about protecting the environment. That's why we're here this evening. That's why we're dealing with this bill. Let's get serious.

This is an effort to make sure that all their friends who contributed to the Tory campaign don't have to go and get any approvals, don't have to get certificates of approval, can self-monitor, can self-police, can look after themselves, can cut corners every step of the way in order to make a fast buck at the expense of the Ontario environment and at the expense of people living in Ontario's communities. This is what this is all about.

It's also about a government which is more interested in financing a tax cut so its rich friends can get even richer than it is in ensuring there are staff left in the Ministry of Environment and Energy to try and monitor what's happening in the province. This Conservative government has already thrown 750 people from the Ministry of Environment and Energy out the door. That's how much you care about the work they did on behalf of protecting the environment.

You've already cut \$200 million from the budget of the Ministry of Environment and Energy. You couldn't care less about protecting the environment. That's not in the Common Sense Revolution. That's not part of your agenda. All you're worried about is cutting and cutting and cutting so you can take that money that used to go to environmental protection and put it to finance the tax cut so that the people who helped finance your campaign can get even more money. That's what this is all about.

Mr Parker: I'm most impressed with the demonstration that we've just been witness to from across the floor here tonight. It's been a very quiet evening pretty much until now. The member for Riverdale did wax eloquent and give us a few diatribes over the course of her 90-minute monologue, but by and large it was a fairly quiet and measured presentation that we were witness to. But just recently her backup band has brought a bit of life into the proceedings this evening.

Mr Wildman: You don't like the enthusiasm?

Mr Parker: I don't know quite what it is; maybe something in the water they've been drinking tonight. I don't know. But the performance we received from our honourable friend from Riverdale was, in all other respects, a pretty much typical NDP diatribe: Blame the Harris government for all of the predicaments of today's world, including all of the problems of pollution, all of the problems of tooth decay and just about everything except blaming the Harris government for the losing streak that the Leafs are suffering right now.

The thesis is a typical one. We're accustomed to it; we hear it a lot. It's basically this: If you care about things, if you care deeply, then you spend a lot of money and you pass a lot of regulations. That's a measure of how much you care. If you don't care, then you try to balance budgets, you try to focus on the issues, you try to get at the heart of the matter and you try to do it all in an affordable way so that we have a future to pass on to our children. That's the basic NDP thesis.

Mr Wildman: Why are you borrowing all this money for the tax cut?

Mr Kormos: Tell us about your balanced budget; tell us about your deficit.

Mr Parker: And if you really, really care, then of course you yell a lot —

The Acting Speaker: The member for Welland-Thorold.

Mr Parker: — because that's a measure of how much you care. The more you care, the more you yell; the more you yell, the more you care. It's a pretty easy thesis. They've been spinning it for a long time and that's what we've been witness to tonight.

Thank you very much, Madam Speaker. It was a very good demonstration.

The Acting Speaker: I'm going to warn the member for Welland-Thorold because we cannot have people shouting in this chamber to the degree that I, as Speaker, cannot hear the person who has the floor at the time. Thank you.

The member for Riverdale in response.

Ms Churley: First of all to the member for Northumberland, I can't even respond to that nonsense. I mean, talking about throwing more money at it. We're

talking about protecting the environment and all he can talk about is government deficits. This government is borrowing money — how much is it?

Mr Kormos: Twenty-two billion dollars.

Ms Churley: — to put in the pockets of rich people. One of the top bank managers in Canada is going to make \$1.4 million out of borrowed money that this government is going to — at least our government borrowed money to help vulnerable people and to put people back to work. That's what our deficit is all about.

Fine, you like to go on and on about the deficit we created. It was about helping people get through the worst recession we witnessed in this province since the 1930s. You are borrowing money to put in the pockets of rich people. Face it. There's a reason why we had a deficit, and we would have paid it off a year before you did. You're borrowing money to give to the rich people. It is incredibly absurd to do that.

To the member for York East, I want to say that I was not talking about tooth decay tonight. I was talking about women dying of breast cancer. Do they listen to a thing? I'm talking about people dying of cancer; I'm talking about birth defects. This is not about tooth decay and it's not NDP rhetoric. This is what is happening to our environment, period.

To the member for Windsor-Walkerville, I appreciate your remarks. I don't have the time to get into them, but I appreciate that you recognize the importance of protection of the environment. And the member for Sudbury East, what can I say? Great speech.

The Acting Speaker: The member's time has expired. Further debate?

Hon Mr Jackson: I believe we have unanimous consent to revert to motions.

The Acting Speaker: Do we have unanimous consent? Agreed.

MOTION

HOUSE SITTINGS

Hon Cameron Jackson (Minister without Portfolio [Seniors Issues]): I move that, notwithstanding order 96(a), the House will not meet to consider private members' business on Thursday morning, December 12, 1996.

The Acting Speaker (Mrs Margaret Marland): All in favour of that motion? The motion is carried.

2300

ENVIRONMENTAL APPROVALS IMPROVEMENT ACT, 1996 LOI DE 1996 SUR L'AMÉLIORATION DU PROCESSUS D'AUTORISATION ENVIRONNEMENTALE (continued)

Mr David Tilson (Dufferin-Peel): I want to make a few remarks with respect to this bill. It has been interesting hearing the debate for the last several hours and the responses to the various speakers. I believe that all members of the House, particularly the member for St

Catharines, who was one of the speakers for the Liberal Party, and the member for Riverdale, who is the critic for the NDP, all those speakers generally are concerned about the environment of this province.

But I must say what disturbs me, particularly from the New Democratic caucus, it's as if they've got the monopoly on feeling badly about the environment. I must start off my comments by reminding them — because their party scared the heck out of the people in my riding, specifically in the town of Caledon. It was because of their goofy policies with respect to Bill 143 and the Interim Waste Authority that they almost put this province on the brink of disaster as far as environmental policies with the disposal of waste.

The member for Riverdale has commented how the Minister of Environment, Mr Sterling, never meets with people. I can remind her that Mrs Grier, the Minister of Environment during the IWA days, never met with the people of my riding. We tried and tried and tried to set up meetings with Mrs Grier, the NDP Minister of Environment and, for whatever reason, she refused to meet with them. The whole policy, starting from day one with the setting of 57 sites around this province, particularly in the greater Toronto area, scared the heck out of people. They just picked, for whatever reason, 57 sites under Bill 143.

Then the Interim Waste Authority — I will never forget those days, and that was the idea of the NDP government. They created the Interim Waste Authority and they said, "It's the authority making all of these decisions, picking these dump sites around the province of Ontario," even though the entire appointments were made by the New Democratic government. Of course the thousands and thousands —

Mr Wildman: It sounds like what you're doing on restructuring.

Mr Tilson: The former Minister of the Environment for the NDP is going at me as well. I've got to remind you —

The Acting Speaker (Mr Bert Johnson): The member for Algoma, come to order.

Mr Tilson: I know you don't like thinking about the debt of this province, but when you're reminding yourself about Bill 143 and the Interim Waste Authority, remember the cost of the lawyers and the consultants.

Interjection.

Mr Tilson: I may have the wrong number, but I can certainly remember the Interim Waste Authority and the havoc that that put on the people of this province.

Now your philosophy was, "We must be responsible for our own waste in our particular area and you're not allowed to transport waste to other areas." Well, we philosophically disagreed with that and that policy is now changed. Now municipalities can make their own decisions in this province and you can look at all alternatives as long as they're environmentally sound. You can look at energy from waste. You can look at composting. You can look at landfilling. You can look at whatever type of disposal of waste is considered, whereas the New Democratic caucus relied on one choice and that was putting it in superdumps around this province.

Although I believe that the member for Riverdale in particular, who is the New Democratic critic, genuinely is concerned about the environment of this province, what I am very offended about is when she starts saying that other members of this House, other members on this side simply have no responsibility with respect to the environment in Ontario.

I recall particularly all members of the opposition who have spoken — there was Mr Bradley specifically, the member for St Catharines, Mrs Churley, the member for Riverdale — have talked about the cutbacks. Is there no other way of doing things? It's got to the point where everything we do in this province, whether it's with respect to the environment or consumer and commercial relations or justice, the only answer is to spend money. There are other ways of doing things. I guess the former government, the New Democratic government, said, "No, there's only one way you've got to do it. You've got to have regulations and you've got to have bureaucrats who look after the regulations and look after the environment of the province." That's an alternative, but the question is: Do we have the resources in this province to do all of those things? Do we have the economy to do all of those things that you want done in this province? You tried it and it didn't work. It simply didn't work.

One of the items with respect to Bill 57 proposes improvements to the approval process with regard to certificates of approval. The bill proposes more workable procedures for activities that have had consistently predictable and controllable — I think those are the words used — effects on the environment. If you want to do anything now with respect to any sort of commercial activity in this province, whether it's constructing a restaurant or constructing anything, you have to get a certificate of approval. That certificate of approval is required for each and every project. It may well be that there are other ways of doing things. That was the policy we've gone through. Can we afford to do that? I suppose you're going to come back and say, "Can we afford not to do that?"

The problem is that we've run out of money. We certainly need to protect the environment. We're concerned about the air. We're concerned about pollution. We're concerned about water. We have to try and protect our natural resources. We have to stop people from getting these terrible diseases that are caused by all of these things. We have to look at other ways of doing things. We can't continue any more to say simply that every project that is proceeded with must get a certificate of approval.

The proposal that is coming forth in this bill requires a new system, and that is the establishment of standardized regulations, so that when you want to do something such as the construction of a restaurant or the items that are put forward in a restaurant, these regulations tell you exactly what's required. If you meet those regulations on those activities that are predictable and controllable and are defined as predictable and controllable, then you don't need to go through this very complicated and expensive process of getting a certificate of approval.

This form of approval demands individual intensive scrutiny of every aspect of a proposal. It involves con-

siderable cost. You've got to hire people — you've got to hire consultants, you've got to hire experts — to determine all these things when you may not need them. You can say that we've got to do this for everything. I don't believe that. I believe that there are some things where, if you know exactly what is required and you set that out and someone wants to follow those plans, why do you have to spend all of that money and all of that time and all of those resources to do those sorts of things? This has caused an unbelievable amount of cost and time to everyone involved. That includes the province, municipalities, industry and the public. In some cases, the cost and time are justified, there's no question about that, and in other cases they're not. It is those cases where they're not where we believe that this change that's being put forward under Bill 57 is required.

Perhaps we could talk about some of the items that may have been mentioned by previous speakers, by the parliamentary assistant and the Minister of Environment. Minor modifications; in other words, standardized approval regulations, items that could fall under this category where you don't have to go to the cost and expense of getting a certificate of approval. That would involve minor alterations to existing approved facilities and equipment that will not result in changes to the approved emission discharges. It could be used with respect to combustion equipment used in providing heating processes or for comfort processes. The size of the unit would be limited, and the only emissions are the products of combustion. There are others that we could talk about: the items used to sterilize hospital equipment, water mains, sanitary sewers and stormwater.

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If these activities are controllable and are predictable, why are we making the municipalities, why are we making the province, why are we making industry go through this tremendous expense and time to do these things when, if you lay it all out, if they don't meet those requirements then they can't do it and if they meet those requirements they can do it? In other words, those predicted times.

I believe that's when we start talking about the cutting back of waste and the cutting back of cost. Yes, we're concerned about those things. Members in the opposition will say, "Oh, you're just trying to provide tax cuts to your wealthy friends." You've got to look at other ways of doing things, and if you don't look at other ways of doing things, then we're going to keep spending money as if it's going out of style. I know that every member in this House is concerned with respect to the environment and I believe that all three governments have been concerned, although obviously, having sat from 1990 during the NDP reign and looking at what it almost did to my riding, I don't have too much sympathy with some of its policies.

Ontario certainly has been a leader in Ontario, Canada and other parts of the world with respect to its environmental policies. All three governments can take credit for that with respect to its environmental protection legislation. In 1976, Ontario was the first Canadian province to introduce environmental assessment legislation. Since then other jurisdictions in this country have followed our

lead. The fact: Ontario has had an outstanding track record for its commitment to protecting the quality of air, water and other resources. We've earned that record by passing effective legislation, by putting in place laws that are relevant, tough and fair.

Protecting the environment is one of our government's highest priorities. We believe that the province's environmental protection legislation must be efficient, effective and workable, and I emphasize those words — efficient, effective and workable — because I don't believe that it has been in the past, with the hoops people are required to perform simply to do things where, if they knew what they had to do in the first place, they'd do them or they wouldn't do them. As it stands now, many of our procedures and protocols have proliferated to the extent that they no longer work well together towards the desired result of protecting the environment. We're going to fix this. We need to have more rationalized and clear and efficient means of achieving that result.

That brings us to Bill 57. Bill 57 represents an important step in this process. The bill is designed to accomplish, as has been stated in the past, and I'd like to reiterate those things, four main objectives.

First, as I've indicated, Bill 57 will make the environmental approvals process more efficient by getting rid of the unnecessary duplication and red tape and the considerable cost that's involved. You talk on the other side about how we didn't talk about these things in the Common Sense Revolution. We did talk about: How are we going to do things differently, more efficiently, with less red tape? How are you going to get into business and protect the environment at the same time, but do it more efficiently and in a less costly manner? We believe that Bill 57 goes a long way to accomplishing that commitment. This bill achieves this improvement in efficiency without in any way compromising the high standards of environmental protection that are currently in place.

The second objective of Bill 57 contains provisions to close a government agency, the Environmental Compensation Corp. We are getting out of the compensation business.

Third, Bill 57 repeals the Ontario Waste Management Corporation Act. This formally closes the book on the OWMC, which has not been in operation since October 1995.

Finally, the fourth objective of Bill 57 consolidates the Minister of Environment and Energy's ability to charge user fees on some of the services it provides, to recover the administrative costs of providing them.

I know the members of the opposition say they don't like user fees. Again, if you don't look at other ways of doing this, there are things on which perhaps user fees shouldn't be charged, but there are certainly many in which, if you're going to do business in Ontario, it's a cost of doing business. Certainly that issue of recovering the administrative costs of protecting the environment should be looked at by this government, and that's what we intend to do.

As I mentioned, one of Bill 57's most important provisions will improve the efficiency of the Ontario certificate of approval process. This bill will provide a process with clear, precise rules so that we will all

understand in which direction we're going and that the changes we are proposing will only affect those activities that have predictable environmental effects. There will be no changes to the other process. It's only those processes that have predictable environmental activity.

Under the terms of the existing provincial legislation as indicated, the law we have now, a certificate of approval is required for any activity that might result in any emissions or discharge into the natural environment, any activity at all and any discharge. So technically we could require a certificate for venting public washrooms or, as the minister has stated in his previous comments, for hot dog vendors.

Under the existing law every new restaurant opened in the province must apply for a certificate of approval when it installs a ventilating fan, believe it or not — a ventilating fan. Water treatment plants need a new certificate to replace a broken pump should it not be identical to the original pump. That's how mad our society has got when we require all these things just to do business in Ontario.

Yes, we have an obligation to protect the environment, but you don't go to the extreme where it precludes the improvement of business, it stops jobs in this province. You surely don't need a certificate of approval for the installation of a ventilating fan, although certainly water treatment plants need a new certificate to replace a broken pump should it not be identical to the original pump.

These applications involve great costs for the proponents while ministry staff are required to review each application, and that's why we've gradually built up all this ministry staff to review each of those applications where we don't believe, and I think if you thought about it long enough you wouldn't believe, we need those types of things and, in turn, we don't need that ministry staff to do those needless and very expensive things.

So to standardize approvals proposed in Bill 57, regulations can be developed specific to the activities that they regulate, and this means that certain classes of activities, people or things will not be subject to the certificate of approval process.

The amendments would also enable that the ministry set conditions or rules to ensure that all aspects of a project are covered off in terms of their potential to adversely affect the environment. We need effective environmental legislation in this province and to keep it effective we need to amend it when it's faulty or when it ceases to make any sense, and that's what we're doing now. The existing rules and regulations cease to make any sense and we're going to change that.

After 20 years of experience with the environmental assessment process, for example, we know there are many activities with predictable environmental effects, and that these effects are relatively easy to mitigate. We know that. We've had 20 years of experience doing these sorts of things. So for those types of activities, Ontario developed the class environmental assessment process which now accounts for something like 90% of all environmental assessment projects that we handle each year. Class EAs have streamlined the approval process for a wide range of activities and at the same time have ensured consistent protection for Ontario's environment.

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Bill 57 brings the same kind of efficiency with the same high level of environmental protection to the process involved in obtaining a certificate of approval. Instead of spending considerable time and effort, in effect creating a customized regulation for each individual instance — and that's what we've been doing, creating a regulation for each individual instance — a standardized approval can be effectively applied in many of those instances, and that's what Bill 57 is going to do.

We get hung up in government, and all governments have done that — Conservative, NDP and Liberal. We've all got hung up on these processes. I believe we must focus on results, and Bill 57 does just that by streamlining the certificate of approval process for certain activities, saving time and money for industry, businesses and municipalities while maintaining the same standards of environmental protection. That's what it's all about: protecting the environment.

Mr Wildman: That is silly; just plain silly.

Mr Tilson: You say it's silly. It's not silly. Why would you do all these things, make people go through all these hoops, when you don't have to? Why would you do that? The former Minister of the Environment is silly.

This new mechanism will be used with common classes of activities with consistent and predictable parameters that we can identify. In the debate during second reading of this bill, we heard some of the members express the view that it's part of a government plan for environmental deregulation. That was said by the member for Riverdale. She says that this is just a plan for environmental deregulation. That, I would suggest, is a specious and misleading argument, and I would like to talk a little bit about that in the few moments I have left.

Minister of Environment Mr Sterling has set the standards in this piece of legislation to ensure that they are being met. Governments aren't in the business to prescribe in minute detail exactly how the requirements should be met. Governments shouldn't be in the business of micromanagement, and that's what we've been in for the last decade.

Mrs Sandra Pupatello (Windsor-Sandwich): Tell your Minister of Health that. Let's talk to your ex-Minister of Health. Talk about micromanagement, 23,000 doctors one by one by one.

Mr Tilson: We have been in the business of micromanagement. Your government started it, these guys continued it on, and we can't afford to do that any more, particularly when it's needless, so I suggest you take a long, hard look at the complicated process that you started.

Interjections.

The Speaker (Hon Chris Stockwell): Order. Knock it off.

Mr Tilson: Good advice, Mr Speaker.

For activities with predictable environmental effects, Bill 57 delivers a more straightforward approval process with rules that are clear, more efficient and effective. The new process doesn't in any way alter Ontario's existing standards of environmental protection. The environment, we submit, will be protected.

Regulations will be developed for those classes of activities that qualify for the new process and those regulations will be developed with full consultation. Other activities will continue to be subject to the existing process, so the environment will continue to be protected.

I could get into other areas of the bill, but with the time allowed for me I simply do not have that time. I'll leave that for other speakers to participate in this bill. I'm grateful to be allowed the opportunity to speak to this bill at this particular time and I would ask that when the members suddenly realize, particularly in the opposition, what this bill is going to do, they give their full support to the government with respect to this bill.

The Speaker: Questions or comments?

Mr Wildman: I listened with interest to my friend from Dufferin-Peel. I know of his interest in these matters, but he repeated, as with a mantra, that we can have deregulation — he didn't use that term but that's what he meant — and at the same time we can have as effective environmental control.

It's interesting that just recently we've heard from the scientific community that the temperatures in the Mackenzie delta have increased by one degree or perhaps two degrees Celsius in the last number of years. That might not sound like very much but it means, in that part of the world, in the great north of our country, that large expanses of permafrost are being turned into soup because they are melting, substantially changing the ecosystem in that part of the world.

Some might say, "What has this got to do with regulation in Ontario?" It's directly related to the populated areas of the southern part of our country and other parts of North America. The fact is that we are burning microcarbons at a rate that is contributing significantly to global warming and we are seeing a significant detrimental effect on the ecosystems of our globe, and this member says that our government was only interested in regulation. He doesn't understand —

The Speaker: Thank you very much. Minister of Environment.

Hon Norman W. Sterling (Minister of Environment and Energy): Tomorrow morning I'm going to meet with environment and energy ministers from across Canada to talk about some of the issues that are being discussed in the Legislature tonight. I say to the former Minister of Environment, who just made some remarks about the lack of concern on this side with regard to the environment of the province, that Ontario is trying to meet the emission standards we had in this province and in this country and in this world in 1990. That is the world mandate for all of us.

When we took power there was an expectation that Ontario would be some 8% to 10% above our emissions in 1990. Through actions we have taken in this province, which we are going to continue to take, we now estimate that we are within 1.2% of our emissions of 1990, and that with some more actions we expect to drop that below the 1% level.

Whereas in some of the other provinces, British Columbia, Saskatchewan — which quite coincidentally are New Democrat controlled — they are increasing their emissions, which are going up in percentage and are

adding to the problem we have across this country in that the overall emissions for Canada are going up instead of down to the 1990 levels, we in Ontario are trying to do our part, and we hope the other provinces will do as well.

M^{me} Pupatello : Je suis très heureuse d'être ici dans la Chambre ce soir pour entendre le discours sur le projet de loi 57. Je suis heureuse aussi que le ministre lui-même est ici dans la Chambre pour écouter le discours.

Je veux dire une chose, qu'il n'y a qu'une raison qui va conduire les changements dans le ministère de l'Environnement : la réduction d'impôts pour tous les électeurs de l'Ontario. Pour cette seule raison vous devez faire des coupures aussi grandes dans le ministère de l'Environnement également : une réduction de 50 personnes dans le ministère — la seule raison.

I look forward to future debates in the next minute or so where I might continue that discussion.

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Mr Tony Martin (Sault Ste Marie): Speaker, it's been a long time in this place since I've heard a speech with such a ludicrous argument. I find it hard to accept that the member for Dufferin-Peel actually believes what he is saying.

We have developed in this province and in this country over the years regulations in response to some major calamities, major disasters, spills of various sorts that have happened. People have gathered around to decide what it is they could do to either improve or stop that from happening again. Then we got to be a bit more progressive in that, so we sat down together — industry, government, communities and environmentalists — to see what we could put in place that would prevent in the future accidents of the sort that we've seen happen in the past. That's what we have tried to do over the years, I think ever so intelligently and progressively, in places like Ontario and in Canada.

This government, in its quest to attract to Ontario the many resource-based industries in particular out there that are crawling around the world looking for places to set up business, that have minimal regulations and minimum standards to meet — you're not suggesting for a second, are you, that that's the kind of industry we want to come to Ontario and set up and to mine or take advantage of the resources that we have to offer? I hope not. If that's what you're proposing, then you're just going to turn Ontario into another Third World jurisdiction where the future doesn't matter, where the environment and the resources that we have don't matter and where people don't matter. That disappoints me.

The Speaker: Response.

Mr Tilson: I'm simply amazed at the comments, particularly of the last member, the member for Sault Ste Marie, some of the comments that he's talking about. I don't understand why he would not support a bill that's trying to rid the system of duplication. Of course we want to protect the environment. Of course you want to protect the environment. We all want to protect the environment. For you to stand there and say that we don't want to protect the environment is just unbelievable. We want to do that. Mr Sterling, the Minister of Environment, is here in the House and that's exactly what he's trying to do with his bill. He's trying to rid the system of some of the duplication and regulations that aren't needed.

Some of these systems have been tried for years. You know what's required to do certain things. To have a certificate of approval required for a ventilating fan, I think even you would admit that's not required. So why would you make people go through that awful expense and time and effort, whether you're a business or whether you're government, to obtain that when you don't need it? You set out the requirements, and if you can't meet those requirements, you can't have your ventilating fan. Why not just do that? Why make people spend all this money and effort?

That's what Mr Sterling, the Minister of Environment, is trying to do, and with that, he will obtain the resources, because there are all kinds of things that governments in the past decade in particular have ignored or haven't followed through. You need many resources to assist in those particular areas. Mr Sterling is going to save on that duplication and waste and he's going to direct it to areas where it's needed to protect the environment of this province. I congratulate him for bringing this bill forward.

The Speaker: Further debate?

Mrs Papatello: I am pleased to speak on Bill 57, which is an environmental approvals act concerning the Ministry of Environment. I'm especially pleased too to have the minister himself here to listen to the concerns of the people we represent in Her Majesty's loyal opposition.

Je veux dire dès le début que c'est une loi très symbolique de l'attitude du gouvernement à l'égard de l'environnement. Je vois aussi dans les sondages que les priorités de la population de l'Ontario n'occupent pas une très haute place aujourd'hui comparé à il y a cinq ans, mais c'est la responsabilité du gouvernement d'aujourd'hui de garder l'environnement pour nous et aussi pour l'avenir —

M. Bradley: Mais oui.

M^{me} Papatello : — pour les enfants, pour l'avenir.

M. Bradley: Mais oui. I agree with you.

Mrs Papatello: You have to understand that our member for St Catharines is being very encouraging in this other language, so I appreciate his intervention, and he completely threw me off my script there.

Ce projet de loi 57 est symbolique d'une attitude qui est très mauvaise pour toute la population de l'Ontario. Je m'excuse d'avoir ri pour un moment. C'est un sujet très important non seulement pour les personnes qui le savent déjà mais pour toute la population, pour ceux qui ont dit il y a cinq ans, «Oui, l'environnement est très important.»

Aujourd'hui, parce que l'économie est peut-être un peu bas, parce qu'il y a une grande inquiétude pour trouver du travail, nous voyons dans les sondages que l'environnement n'a pas une place très haute ; peut-être occupe-t-il la cinquième ou sixième place dans les priorités des électeurs de la province. En même temps, c'est la responsabilité du gouvernement conservateur d'aujourd'hui de garder l'environnement.

I would like to say that the one thing that is driving this minister and that is driving this government to seek — Mr Speaker, you're making it very difficult for me.

Mr Wettlaufer: He would have had to really speak French.

Mrs Papatello: Or perhaps our member for St Catharines would like to continue.

In any event, I must say that there is one thing that is driving the cuts to the Ministry of Environment, and that is the tax cut. As we said earlier, it is the one thing that is driving the agenda regardless of the bill and regardless of the ministry we are talking about. The level of cuts that the ministry has sustained and will continue to sustain will total, in 1997, 50%. That means the minister simply will not have the personnel to follow through on the level of regulation they had, so it seems quite palatable to them to change the law and to change the requirements that companies and industry must follow, because they don't even have the personnel to follow them through. In fact, in some of the areas under the Minister of Environment, he will have one inspector for the entire province, hardly sufficient, in particular when we're looking at industries that can have potentially major detrimental impacts on the environment.

So I find it particularly interesting to listen to the member for Dufferin-Peel, because he likes to speak the line of the government that Bill 57 is simply streamlining. If it were truly streamlining, you wouldn't find opposition members opposed to that, because all of us have had experience of a bureaucracy that can be improved and of acts that were so old when they were first initiated that they must be updated. If that were the case, if it were simply a matter of streamlining, why then two weeks ago tomorrow did the minister fail to participate in a demonstration rally that was held outside his office where you had several environmental groups come —

Hon Mr Sterling: Too cold.

Mrs Papatello: The minister says it was cold. I'm sorry it was cold. It was snowing, but I was there. You seem to be made of much tougher stuff, but I could be wrong. In any event, you should have come.

Hon Mr Sterling: Actually, I was down here.

Mrs Papatello: You were down here?

Hon Mr Sterling: No, no. They invited me the day before.

Mrs Papatello: No, the reality is, Minister, you chose not to come to the rally, not to speak to people who are truly interested in the environment. These are people who dedicate many, many hours of their volunteer time to express their interests and their views to a minister who decides to turn a deaf ear, who decides to say, "The tax cut is more important than my ministry," who offers up his ministry as a sacrificial lamb to his Premier on his knees to say: "Here, take 50% of my ministry. Find the reductions in government by taking 50% of my ministry. We can afford it. It is not a priority of a Conservative government." That is in fact what the minister has done and it is clear: By the year 1997 you will have lost 50% of your ministry.

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The unfortunate thing is I have met the people who work and live and breathe, quite frankly, for the minister and in the bureaucracy of the ministry. These are people who have dedicated their studies and who have dedicated their working career so far to the protection of the environment. The difficulty for them is that all of a

sudden we had an election on June 8, 1995, and after that election all of a sudden they simply weren't appreciated. Here we have very hardworking women and men who have dedicated years of civil service to the protection of the environment and all of a sudden they realize they're faced with individuals in charge who simply are not interested that they've been doing a good job. Unfortunately this has been a continuing attitude in many ministries.

We've certainly seen that effect in the area of health. I was particularly struck by the chosen words of the member for Dufferin-Peel tonight when he said previous governments selected to micromanage the government. Nothing struck me as quite so ironic as that: micromanage. Let's have a look at the ex-Minister of Health's record. Was what he did since his installation as minister not micromanaging when he decided to rip up the contract with the Ontario Medical Association, which acted as spokesperson for the doctors in Ontario, and when he also chose to deal directly with 23,000 doctors — specialists, family practitioners — in exchange for that? You don't call that micromanaging? That is the epitome of micromanaging. Not only that, he wasn't doing well at it either. In fact he still hasn't settled the deal. Now, at the most convenient time, he chooses to leave his post, and now we have a minister who's the Chair of Management Board, who seems to be sitting on two chairs.

I remember well a story my father always told me: "Be careful not to sit on too many chairs because you'll end up on the floor." That is my fear. The one thing we can hardly afford to land on the floor with is health. The minister is looking with some shock. What could this have to do with Bill 57? He might suggest that I'm digressing, but it's highly relevant.

I'd like to suggest to the Minister of Health that he take a look — in fact I think I'm going to take particular attention and send you a copy of a study. It's actually the final draft copy. Minister, it's called Improving Community Health: The Draft Final Report of the Community Rationalization and Enhancement Project. In this report the district health council has outlined significant concerns in the area of health in the county of Essex. They started with a description of the health profile of the county:

"From 1991-95, Windsor-Essex county population, estimated in 1991" was at a certain level. "The proportion of single-parent families was slightly higher than that of the province. The proportion of institutionalized seniors has declined...."

"There is a substantial number of low-income people in Windsor-Essex county. Relatively higher unemployment among youth is a significant issue."

"Fewer Windsor-Essex county residents feel a high sense of wellbeing compared to the province as a whole." Perhaps the minister is beginning to see the connection here. "A lower literacy rate has significant implications for employment opportunities and associated negative health outcomes, as well as for how health programs and services are delivered."

If I may asterisk the next point for the minister: "Air quality, water quality and levels of UV radiation pose

significant potential risks to Windsor-Essex county residents. Air quality in particular is of concern in comparison with other parts of the province. In addition, the relative lack of green space may have a significant effect."

Minister, if I may suggest the link between your ministry and the protectionist stand that your ministry should be taking and its relevance to the health of Ontario residents, if I may tell you a significant concern of the community leaders in the area of health in my county, one of them is air quality: "Water quality and levels of UV radiation pose significant potential risks to Windsor-Essex county residents. Air quality in particular is of concern in comparison with other parts of the province. In addition, the relative lack of green space may have a significant effect." Health is highly relevant to the environment, and if you haven't known that perhaps you haven't been in your ministry long enough.

I'd like to tell the House a story of an incident that happened in my community several years ago; more than a decade now. At that time I was a very young girl. I was a very young girl when the Liberals were in government here in Ontario, and I read about these things in the newspaper.

Mr Bradley: You were 13 at the time.

Mrs Pupatello: I was about 13. I was a little older than 13. Nevertheless, I do have an interesting story for you. If you're familiar with where I come from at all, the city of Windsor banks on the Detroit River. Across the Detroit River is the city of Detroit and in the middle is a little island called Zug Island — île de Zug — and on Zug Island is an incinerator. All of us who grew up in the city of Windsor knew that at that time Windsor had some significant issues concerning air quality. You could see the smoke stacks, blue and black, that came over. Depending on which way the wind blew, it would come over and we could smell it where we lived in Windsor. This was Detroit and it was a Detroit industry, but nevertheless, it had a significant impact in Windsor. Depending on the temperature, on the humidity, on the smog level, everything the incinerator pushed out had a significant impact on our quality of life.

At that time, our city councillors, our mayors were up in arms; not only that, the residents were. There used to be stories about waking up in the morning and finding things: film on your car from the obvious air pollution that would drift over from Detroit.

Mrs Marland: I can get that from St Lawrence Cement.

Mrs Pupatello: Well, St Lawrence Cement certainly wasn't there. We're talking about Zug Island here.

The relevance of the story is that thankfully we had a change in government in Ontario, and after 1985 we finally had a Liberal Minister of the Environment who was truly interested in concerns for air pollution. When he heard what was happening in Windsor, he was extremely concerned. Let's remember, back then we had a mayor in the city of Detroit and his name was Mayor Coleman Young. He was there for about 25 years, a great big guy who was known for having a pretty tough reputation. He used to drive around in a black limo with two bodyguards and the bodyguards had pistols under each arm. It was really out of a movie.

Our Minister of the Environment in Ontario was well aware of what was going on in that incinerator, that there were things happening on that island that would never happen in Ontario under a Liberal environment minister. But it was happening in Detroit and Detroit was another country.

What did happen was that in fact the Liberal Minister of the Environment paid a secret visit to the city of Windsor, in the stealth of the night. It was under great secrecy, this veil. In fact, he met the mayor of the city of Detroit, Mayor Coleman Young, and they met at the Alan Manor — at that time it was Maison Girardeau — on the west side, on Mill Street. It's been renovated now and turned into a wonderful training facility for young students who are learning to cook and doing apprenticeship programs there. At that time it was a very well-known Turkish restaurant. They met in the dark of the night.

Again, our minister showed up, and of course, being the ever-jovial type he is, he had an assistant from the ministry, but no great fanfare. But the mayor of Detroit showed up in his black limo with his two big bodyguards with the pistols under their coats, and they sat and had a chat. If you knew the Liberal Minister of the Environment, you knew he could carry on a conversation with the best of them. They talked about the Red Wings and the Pistons and they talked about hockey and football and the conversation was going along swimmingly. Then over dessert — I would imagine it was dessert — they finally decided to discuss why they called the secret meeting. Suddenly the Minister of the Environment under a Liberal government said: "That incinerator needs scrubbers. You're killing the people who live in my province." The mayor from Detroit was ballistic. He was apoplectic about it. "No guy from Windsor, no guy from the city of Toronto is going to come down and tell me how to run my city." That was his response.

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Mr Froese: He's from St Catharines.

Mrs Pupatello: That's right. Well, he wouldn't have known he was from St Catharines. In any event, no one is going to tell this Detroit mayor how to run his business in Detroit.

Mr Duncan: He used a few other adjectives.

Mrs Pupatello: He did. In fact, expletives added, because he was actually quite a colourful character. You could imagine how our minister was going to maintain himself under those circumstances. The end result was that our minister said very simply, "If you don't do it, we will see you in court," and never before had a Liberal minister, or a minister in the history of the Ontario Legislature, had the nerve to take on Mayor Coleman Young and any other big city mayor that didn't have the attitude of protecting the environment. It took the courage of a Liberal minister to do that.

Let me tell you that when you grew up in the city of Windsor, you could watch the marked change in the quality of the environment, in the quality of the air and in the quality of the water. What I do know is at that time I might have been reading about it in the newspapers and, as I said, I was quite young at the time. In any event, years later I came into this House and realized that

our current House leader, the member for St Catharines, was that Liberal minister at that time and now I can hear the inside story about what really happened during that event. All I knew as a resident of Windsor was that the air was markedly improved and that the water was markedly improved.

Our industries in our community have realized their responsibility and they are very devoted members of a green community today. Windsor is a far different place than it was 20 years ago or 10 years ago. All you need to do is come to see us. We have the most wonderful parkland. We have the most wonderful riverfront. In fact, close to our riverfront we have the Great Lakes Institute, right in the heart of my riding, which, by the way, should have been a federal-provincial project.

But again, when the Great Lakes Institute — and for those who want more information, that is an institute that does research for the world. It does research for industry, it does research for Third World countries, it does research for green technologies, and any of us who follow what the trend line is in companies of the future, those are the green industries, and that kind of research is happening right in my riding at the Great Lakes Institute, thanks to the vision of the people at the University of Windsor and of Herb Gray at Parliament Hill in Ottawa. But no thanks, I'll tell you, to this Ontario government because the first statement that was presented by this government in your first November in office was to cut \$3 million that was dedicated to purchase the London building to renovate it because it had been donated by a private sector, by London Life, and they just about killed the project. If it wasn't for the innovation of the leaders in my community and the doctors who are running that project, it would have been long gone.

So I say to the minister tonight, I wish you had the courage that our minister had in 1985. I wish you had the courage today to stand up and say: "Yes, our government is about cost-cutting. Yes, our government is about giving a tax cut." But, for heaven's sake, when you present Bill 57, don't do it on the pretence of streamlining. Don't do it on the pretence of your doing something good for the companies. Just tell it like it is. Have the nerve to say it like it is. Just tell the truth and say, "I need to cut 50% of my ministry because I'm going to fund the almighty tax cut." That's what you should have the nerve to say, but you don't have the courage.

That is the greatest disappointment I've had since my tenure here in these last 16 months, that you have created a façade, this government has. It has been a great disappointment. You have created a façade that everything you do is somehow in the interests of better efficiency. The ex-health minister is not going to sit in this House now and talk to me about better efficiency. When we look at what he has done to my community in Essex county, it is a disgrace that any minister of the crown be allowed to behave the way he has. He should have gotten the boot a long time ago for what he did to my community.

You want to talk about health: We received calls this week because, all of a sudden, the specialists are tired. This big incident, or this big leakage, the only reason he has gone is because somebody found out. It's not as if the minister hadn't known this before. I would guarantee

that. The reality is, he was found out. He had taken information he shouldn't have had and no one chose at any time to speak about the validity of the doctors, the neurosurgeons, who took their time to come to Queen's Park and hold a press conference that day.

One of those doctors was Dr Anita North, and she comes from Windsor. She came to one of the events I had hosted in my community and when she arrived at the door we said: "What are you doing here? You can hardly have the time for this kind of event." She said: "I have to. I have to talk to you about what's going on." This was last fall in my community, because that's how long it's been going on. It's been going on longer than that.

Even Dr Anita North, who usually sleeps at Hotel-Dieu Grace Hospital — there are only two neurologists in my community, so they barely get time to sleep; one or the other is always on call. There is the longest list in the world for people who require surgery and any kind of neuro work at all, and yet she was at this press conference. She took the time, let alone to have a press conference but to make the trip to Toronto to do so, which for her, given her commitment to her job, I can tell you was extreme. She was that dedicated to make such a point and make such an impression on government to say, "What you're doing is wrong."

Applause.

Mrs Pupatello: You're wishing I was finished.

All of this week in my constituency office we've had a change in the tone of calls that we're facing in regard to health issues. I have a suspicion that is happening to members opposite as well. There was always great concern and there was always a lot of compassion for our doctors because our doctors have always been under extreme pressure in Essex county, but this week people are becoming angry, and today we had our first act of violence in my city against the doctors. People were throwing rocks. While that may not seem serious to you, that is actually a significant change and it tells us that it's time to stop this nonsense. It's time to get down to the table and finish it.

I don't want to hear platitudes out of this government any more. I don't want to have to stand up in the House every day and talk about this long list of pregnant women in my office who still do not have good obstetrical care. Some don't have an obstetrician at all. Some — nine of them now — have already gone across to the United States. And you, the people who want to issue this massive tax cut, are the same gang that is supportive of costing five to six times more for health care in the United States than right here in our home province. That is just absurd.

Mr Bradley: And they're trying to close hospitals in St Catharines.

Mrs Pupatello: We should speak about the closure of hospitals in St Catharines. There are members opposite who are having a terrible time right now with health issues in their community. Let me tell you, it's off the rails, and all of this is driven by the tax cut. If we think

of the 50% cut in the Ministry of Health, this is just the beginning.

What we saw a couple of weeks ago was the Minister of Finance, with great fanfare, announce absolutely nothing when he was supposed to introduce some kind of a budget. The reality is the government is looking for \$3-billion more to cut and they don't know where.

The people are starting to realize that perhaps the government doesn't know what it's doing and that the answers and the governing of the province is not as simple as just little adages and throwing out little sayings and proverbs and "simple is better." Now you're in the chair to govern and you're having a little bit of difficulty doing it; hence the announcement that was an announcement of absolutely nothing. Two weeks ago the Minister of Finance was embarrassed when he had to go before the reporters and say: "Why don't I have anything new to announce? We don't quite know what we're doing over here." That was the answer.

Interjections.

Mrs Pupatello: Absolutely. I'm hoping that some of you find this a little bit amusing. I can tell you I don't. We've got some significant concerns here that you ought to appreciate.

Interjection.

Mr Bradley: The judge is out of order.

Mrs Pupatello: Yes, the judge. I believe you're from Ottawa-Rideau. You think you'd know better.

The Speaker: Order. Government members, quite a few of you aren't in your seats. I'd prefer you didn't heckle. It's a very short time to the end. It would make it a lot easier to get through.

Mrs Pupatello: The member for Ottawa-Rideau, let me tell you, when that health restructuring commission is finished with your city, you won't be sitting across from me and laughing any more because you will see exactly what happened in the city of Sudbury, in the city of Thunder Bay, and it's going to roll right through the city of Ottawa. We'll see how smart you are that day. Let me tell you that when you come from my city and after you have been —

The Speaker: Point of order.

Interjection.

The Speaker: Member for Ottawa-Rideau, hold it. I haven't even recognized you. Point of order, member for Ottawa-Rideau.

Mr Garry J. Guzzo (Ottawa-Rideau): Not to worry, Dalton's got everything under control.

The Speaker: I can make a ruling quickly. That was not a point of order. Go ahead, member for Windsor-Sandwich.

Mrs Pupatello: Maybe the people in this House spent a little too much time at the press gallery party that you're finding things a little more funny tonight than you ordinarily do. But let me tell you that when we break for this Christmas session and you —

The Speaker: Order. It being 12 of the clock, this House stands adjourned till 1:30 of the clock tomorrow.
The House adjourned at 2400.

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Fort York	Marchese, Rosario (ND)	Oshawa	Ouellette, Jerry J. (PC)
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Renfrew North / -Nord	Conway, Sean G. (L)	Welland-Thorold	Kormos, Peter (ND)
Riverdale	Churley, Marilyn (ND)	Wellington	Armott, Ted (PC)
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Samia	Boushy, Dave (PC)	Windsor-Sandwich	Pupatello, Sandra (L)
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		Yorkview	Sergio, Mario (L)
		York South / -Sud	Kennedy, Gerard (L)

A list arranged by members' surnames and including all responsibilities of each member appears in the first and last issues of each session and on the first Monday of each month.

Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Thursday 12 December 1996

Jeudi 12 décembre 1996



Speaker
Honourable Chris Stockwell

Président
L'honorable Chris Stockwell

Clerk
Claude L. DesRosiers

Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 12 December 1996

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 12 décembre 1996

*The House met at 1332.
Prayers.*

MEMBERS' STATEMENTS

DENTAL CARE

Mrs Elinor Caplan (Oriole): I wish to draw to the attention of all members of this House the recommendation of the Health Professions Regulatory Advisory Council in the matter of the dental hygiene referral. Dental hygienists have asked for the legal right to self-initiate their authorized acts of scaling, root planing and curettage in specific situations without the necessity of an order from a dentist. The objective is to reflect current practice and facilitate access to needed oral hygiene care.

The council concluded, and I quote from page 24 of its report, "HPRAC is of the view that the proposed amendment, with the intended restrictions and safeguards allowing dental hygienists to self-initiative in specific situations, fulfils the public interest principles of access, equality, accountability and quality of care while not constituting an increased risk of harm to the public."

I understand that the former Minister of Health has asked the dental hygiene and dentistry regulatory colleges to try and arrive at a mutually agreeable regulatory solution rather than proceeding with a statutory amendment at this time. I note that the advisory council expressed reservations about this approach that the former minister had decided to take. The council very much supported a statutory solution. Nevertheless, we on this side hope against hope that a regulatory solution can be arrived at, and I advise the new Minister of Health and the two colleges that we will be watching very carefully for progress.

McMICHAEL CANADIAN ART COLLECTION

Mr Tony Silipo (Dovercourt): I'm happy to note that after weeks of silence, the Minister of Citizenship, Culture and Recreation has finally responded to the calls from the arts community and announced that she will be appealing the Ontario Court decision regarding the McMichael Canadian Art Collection.

I want to congratulate the minister in doing that but also to ask her what took so long. It was exactly because of the complex issues which the ruling raised that the minister should have decided much earlier to proceed with appealing the decision rather than putting people through a month of turmoil as they awaited her decision and the government's decision. But I'm not surprised at that hesitation, because it's quite consistent with the approach that this minister and this government have been taking to the whole arts community today.

In fact, as I met this morning with the Ontario Arts Network, they painted a grim picture of the climate that they find themselves in today and that the whole arts community finds itself in. The Harris government is clearly responsible for that: \$12 million cut from the Ontario Arts Council in one year; 40% slashed from arts service organizations.

Earlier this month we learned of the demise of two Ontario publishers, a direct result of the end of the provincial loan guarantee program, and more publishers are under threat when their guarantees are pulled at the end of this month. For very little cost, this program secured jobs and businesses. It may end up costing the taxpayer a lot more to wind down failed businesses than it would have cost to continue to support them with this program.

I want to say to this minister, you've put yourself back, at least on this decision, on the good road. I hope you will continue to go back on the good road to supporting the arts —

The Speaker (Hon Chris Stockwell): Thank you.

GUELPH BUSINESSES

Mrs Brenda Elliott (Guelph): Imagine if you will that this room is a steel culvert completely covered in soil, and then imagine on top of that 18-metre-high structure a paved roadway. The soil-and-steel structure I've just described would be the largest of its kind, and one just like this was built by Armtec Construction Products of Guelph. The company that transported this structure to its present location was MacKinnon Transport Ltd, also of Guelph.

The accomplishments of MacKinnon Transport and Armtec Construction are not limited to the world's largest soil-and-steel structure. Armtec Construction Products has supplied products and engineering solutions to challenges of the civil engineering industry since 1907 in Winnipeg. The company moved to Guelph in 1908. MacKinnon Transport is a family-owned business that has operated in Guelph since 1929. They were first approached by Armtec to figure out how to haul these large culverts.

I was recently honoured to attend the 50th anniversary celebration of this unique partnership that has been one of the most successful in Guelph's history. We often speak of public-private partnerships as the direction for success for a strong Ontario. This partnership is a shining example of the innovative ways that small businesses have joined together to the greater success of the individual companies. It's my pleasure today to recognize MacKinnon Transport and Armtec Construction Products as they celebrate the 50th anniversary of a partnership that teaches us all about successful business relationships.

CITY OF SCARBOROUGH BICENTENNIAL AWARDS

Mr Gerry Phillips (Scarborough-Agincourt): Last week the city of Scarborough held its bicentennial civic awards. It was a truly outstanding event recognizing 200 outstanding individuals who have been associated with Scarborough.

I might add that the list was very impressive: from the music area, Peter Appleyard, Geddie Lee, Kim Mitchell, Barenaked Ladies, Liona Boyd, Carole Pope; among the actors, Jim Carrey and Mike Myers; from sports, which Scarborough is well known for, Cindy Nicholas, Syl Apps, Dave Keon and Steve Stavro. We're very proud that three former chiefs of police are from Scarborough: Jack Marks, Harold Adamson and Bill McCormack; author Arthur Hailey; and newspeople Christine Bentley, Jack Dennett, Glenn Cochrane, David Onley and Henry Shannon.

I'm told that the loudest applause last night was for one of the recipients, our own Queen's Park bureau chief from Global, Robert Fisher. At least, that's what Robert Fisher told me. He did get the award, but I arrived there after the presentation. In all seriousness, it was a truly fine event put on by Scarborough recognizing 200 very outstanding individuals, including Robert Fisher, the bureau chief.

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EDUCATION FINANCING

Mr Rosario Marchese (Fort York): On November 27, parents from seven schools in my riding held a vigil outside my office to express their concerns about this government's cuts to education. This vigil was part of a province-wide protest organized by People for Education, one of the many grass-roots groups springing up all over the province to fight the cuts to our basic social programs.

I have here in this pizza box over 300 letters and six petitions addressed to the Minister of Education from parents who could not be present at the vigil but wanted the minister to know how they feel. They want the minister to know that international languages, black culture and concurrent programs are important to them. They are afraid that if the government acts on its proposal to change the way education is funded, the Toronto Board of Education will lose another \$150 million. They're afraid they will not only lose these programs, but also English as a second language, kindergarten, child care and continuing education programs.

Parents with small children are not a special interest group. They are the mainstream of our society. I will be forwarding these letters and petitions to the minister, and I want in particular to thank People for Education for giving these parents the opportunity to be heard.

OSHAWA MUSEUMS

Mr Jerry J. Ouellette (Oshawa): It is with great pride that I rise to address the House today regarding the Canadian Automotive Museum and the Sydenham Museum in my riding of Oshawa.

The city of Oshawa is the Canadian birthplace of the automobile. The Canadian Automotive Museum, with its collection of over 60 vehicles, including some of the rarest automobiles produced in Canada, is a part of Oshawa's heritage. The collection includes the earliest Canadian-made model T, circa 1909, as well as a Rolls Royce 1912 limousine and a 1926 Bentley. The museum offers an opportunity to see and experience the development of the automobile in Canada from the turn of the century.

The Canadian Automotive Museum in Oshawa is a non-profit organization that is at the forefront of Canadian institutions featuring automotive collections. The collection of automobiles has in the past been valued at over \$25 million.

The Oshawa Sydenham Museum is a museum of local history and is managed by the Oshawa Historical Society. The museum displays artifacts associated with life in the 1800s and early 1900s through three historical homes: Guy House, Robinson House and Henry House. The Oshawa Sydenham Museum also provides a valuable resource for researchers of local history, as the Oshawa community archives is available through the museum.

The Canadian Automotive Museum and the Oshawa Sydenham Museum preserve and present the rich history of Oshawa. They are valuable parts of Oshawa's community as they maintain Oshawa's link with its roots and draw to the museums people not only from around the province, but also from around the world. I invite all members and everyone to visit these historical parts of Oshawa.

HOSPITAL RESTRUCTURING

Mr James J. Bradley (St Catharines): With the release of the preliminary report of the local hospital restructuring committee in Niagara this morning, some of the worst fears of Niagara residents have been realized; namely, the possible closing of hospitals in St Catharines, Niagara-on-the-Lake and Port Colborne.

At no time during the provincial election campaign did any Conservative candidate recommend the closing of any hospital in Niagara. Premier Harris, when asked during the party leaders' debate in 1995 if he intended to close hospitals, replied, "Well, certainly, I can guarantee you that it's not my plan to close hospitals." I intend to hold Premier Harris to that commitment in Niagara.

By announcing the chopping of \$38 million in hospital budgets in Niagara, the Conservative government has put a cloud over the future of hospitals in St Catharines, Port Colborne and Niagara-on-the Lake. The opportunity is there for the Ministry of Health to enhance and improve hospital services, not use the meat axe to cut valuable health care to an aging population in our part of the province. The opportunity is there to bring to St Catharines important services for which Niagara patients are now required to travel to Hamilton, London or Niagara to receive.

It is unacceptable to me to have the Hotel Dieu Hospital in St Catharines closed, and I intend to fight alongside thousands of St Catharines residents to keep the Hotel Dieu open for many years to come and to continue to provide excellent health care.

FAMILY SUPPORT PLAN

Mr Bud Wildman (Algoma): I'd like to raise with the members the case of Rita Iturrequi, a constituent of mine from Blind River, who has been having problems with her family support plan payments. Her ex-husband's employer has been deducting the money from his pay-cheque, but she's not getting anything. As of July 25, 1996, when the government decided to wreck the system, the balance owed by her ex-husband was zero. However, now it's over \$2,400, and yet the money has been taken off his cheque all along.

Mrs Iturrequi contacted our office. We faxed the office in Toronto. They sent a fax back with a scribbled note in the margin, the same fax, which was illegible. We faxed back and asked for a response for Mrs Iturrequi, because she has two children, one in high school in grade 11 and one in grade 8. She has had to work at four part-time jobs to support herself and her children while she has not been receiving her ex-husband's money. She also has a legal aid bill of over \$8,000 and a lien on her home, which she wants to pay.

Why is it that the money is coming off her husband's cheque regularly and it is not arriving with her? Why is it the Attorney General continues to argue that this is a longstanding problem instead of resolving the problem and ensuring people like Mrs Iturrequi and her children get the money?

BRAMPTON HOCKEY FRANCHISE

Mr Tony Clement (Brampton South): I rise today to congratulate Mr Scott Abbott, the co-creator of the board game Trivial Pursuit, on his successful bid for an Ontario Hockey League team for Brampton. Last week, the OHL board of governors approved Brampton as a franchise for the 1998-99 season. Brampton has a long and proud history of supporting minor hockey.

Brampton residents, led by Mayor Peter Robertson, are to be commended for their massive show of support for their hockey team. A campaign to collect thousands of signatures from local residents was highly successful, with over 40,000 signatures collected in just six days.

An OHL franchise will bring many economic benefits to our city and heighten our sense of pride. In May, a private consortium will begin to build a 6,000-seat arena with three additional ice surfaces, a fine example of a public-private partnership between the city and the private sector. This facility will be able to host hockey tournaments, curling bonspiels, figure skating championships, trade shows and concerts.

Once again, Brampton residents have done our city proud. I join them in anticipation of the opening face-off in October 1998.

STATEMENTS BY THE MINISTRY
AND RESPONSES

PROCEEDS OF CRIME

Hon Robert W. Runciman (Solicitor General and Minister of Correctional Services): One of the essential

elements in preventing crime is eliminating the payoff; in other words, removing the motivation to gain something from it. Today I'm doing just that.

To do this successfully, we must train dedicated and skilled police officers in a very specific method of investigation. That's why this government is expanding the provincial proceeds of crime unit with funding from the provincial proceeds of crime funds. The unit will work in partnership with the RCMP proceeds of crime integrated task force currently operating in the greater Toronto area.

The funding for the unit is coming directly from the sale of criminally obtained assets. Not only will convicted criminals not profit from their crimes, but they'll find their assets used to fight crime. This initiative will give police an important tool in their fight against organized crime.

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In addition, the ministry has received a commitment from the federal government for just over \$1 million in further proceeds of crime funding. These moneys are the result of a memorandum of understanding between Ontario and the federal government signed in January 1996.

The Criminal Intelligence Service Ontario will administer funding for the provincial proceeds of the crime unit because of its extensive experience in this area through its joint forces operation program.

The day-to-day supervision of the unit will be the responsibility of the officer in charge of the RCMP proceeds of crime integrated task force in Newmarket.

In addition to the nine existing RCMP officers, we will be expanding the unit to include four OPP officers, two Metropolitan Toronto Police Service officers, two York Regional Police Service officers, one Peel Regional Police Service officer and one Durham Regional Police Service officer, for a total of 19 officers, the largest of such units in Canada.

This government already has in place a provincial policy that ensures that illegally obtained property is returned to its rightful owners and that goods or profits obtained as a result of criminal activity, such as drug dealing, theft, fraud or money laundering, are forfeited at the end of successful criminal prosecution.

The provincial proceeds of crime initiative not only complement the existing policy, it strengthens the tools police need to fight profit-motivated crime.

Mr Gerry Phillips (Scarborough-Agincourt): I'd like to respond to the minister's statement. I gather from the statement that this adds three OPP officers to the unit and that the rest of the resources will come from other police forces.

Certainly ensuring that the public recovers the proceeds of crime is an important objective. The Criminal Intelligence Service Ontario seems to be an organization made up of our senior police officers who provide the government with good advice, and they've informed us that they expect to see lots more profit from organized crime.

The minister will recall that the Criminal Intelligence Service Ontario, the organization that will administer this, was the same organization of senior police officials that advised the government of how inappropriate it was to

proceed with video lottery terminals, video slot machines, and warned the government that they are simply inviting organized crime to participate much more fully in Ontario. So it should come as no surprise that they're supportive of plans to try and recover some of the money that they've warned you organized crime is going to reap.

It was perhaps three weeks ago that this House, or at least the government, forced through a bill that legalized video lottery terminals, despite the warning of the very same organization, the Criminal Intelligence Service Ontario, that it's a mistake, that it will not get rid of illegal VLTs but will simply expand the infiltration of organized crime. For those of us who are worried about organized crime, you've ignored the major report the government has from this organization. What we've got today is that announcement of three additional OPP officers.

The second point I want to make is that prevention of crime is extremely important for all of us. You ran on this platform, in the Common Sense Revolution: "This plan guarantees full funding for law enforcement."

What have we actually seen in terms of full funding for law enforcement? We have seen the government cut grants to municipalities, the support the province provides for municipalities, and the major budget for municipalities is police organizations. You have cut their support in half. They are getting half the money they used to get from the province of Ontario, and recognize that that goes heavily to police organizations.

You have cut \$250 million out of the Attorney General's budget, and even the Solicitor General's budget has been cut by \$16 million. So the announcement today of adding three OPP officers to this unit to recover the benefits of crime comes at the same time as this government has decided to cut, cut, cut the support for crime prevention, the support for our police organizations around the province. Support for municipalities cut in half: \$800 million, a huge amount of money, cut from the budgets. The Attorney General's budget is slashed. That's the one that enforces through the court system. Even the Solicitor General's budget is cut.

The announcement today is designed to recover the benefits of crime, and the police organizations are warning us that, yes, they'll recover more money because there's going to be more crime. Why? Because we'll have legalized video lottery terminals against the advice of your own Criminal Intelligence Service Ontario and you have cut municipalities' budgets in half, the support from the province. You have cut the Attorney General's budget and you've cut the Solicitor General's budget.

The announcement today should be put within the context of all of those things. Certainly no one in this House would suggest that it is not totally appropriate to recoup the proceeds of crime, but everyone in this House should recognize that those proceeds will increase because crime prevention is being cut and slashed in this province.

Mrs Marion Boyd (London Centre): I too am pleased that this announcement has been made because I think, as the member for Scarborough-Agincourt pointed out, all of us in this House believe the tools should be there to prevent the growth of crime in our province. But

he is also right to say that this is a particularly poignant moment for this kind of announcement when this Legislature has passed a bill in the face of the very clear advice of police in this province about the growth of organized crime because of the growth of legalized video slot machines.

It is extremely important for us to realize that it is also in the context of greatly reduced budgets in the Attorney General's ministry and in the Ministry of the Solicitor General in terms of crime. Most people don't recognize that one of the cost-saving measures required of the police in this province was to disband the anti-rackets squad. That was one of the early results of a decision in the ministry to reduce OPP funding by a huge amount. This minister has constantly tried to counter the reality of the kinds of cuts that have been made and the kinds of pressures that police forces are under by making this kind of announcement.

I understand that this morning in his press conference the minister made some comment about the reason our government was not able to put this into effect being because we couldn't reach an agreement between the Ministry of the Attorney General and the Ministry of the Solicitor General. He is quite right, because the Ministry of the Solicitor General was insisting on having all of the proceeds of crime. That was the advice our minister was getting. I am delighted that the minister took the advice of the member for Hamilton-Wentworth to know that the prosecution of these crimes is extremely important. It is extremely important that we understand the continuum of the charging with crime, of the enforcement of the Criminal Code and then the prosecution of those kinds of events. He is quite right to point out that this continuity is required if we're going to be successful. So I'm very pleased that the two ministries were finally able to come to an agreement that you cannot have the one without the other, and I'm delighted that is part of this proposal.

However, I must say that this kind of joint force is dependent upon a particular income, a particular \$1 million that has now been forwarded by the federal government, really tells us that this is still temporary funding. Yes, we expect that it will be successful and that there will be more proceeds of crime, but whenever you base the enforcement of the law on a particular program which is either fines or proceeds of crime, it's a very dangerous undertaking. What happens if an investigation takes a long time and a prosecution takes a long time and those moneys do not come back to the government?

1400

I'd be much more confident that this is going to be a permanent part of the law enforcement program in this province if this government were taking unequivocal responsibility for ensuring that its part of this force is there no matter what happens in terms of the income from a particular part of proceeds of crime. It is extremely dangerous for us to tell the people of Ontario that we have improved the enforcement of the law through a means like this when it is dependent upon the income that may be generated, because that often is a long time coming in.

I congratulate the government on having reached this deal, but I would urge them to make it clear that what-

ever happens in terms of income from proceeds of crime, this kind of force is needed in Ontario. It's needed more than it ever has been before because of the increased opportunity for organized crime in this province as a result of the actions taken by this government and as a result of the deregulation in many areas that is going to encourage money laundering, is going to encourage the kind of crime that is very difficult to enforce. So I'm glad this force is going to be in place, but I am very sceptical that it is the kind of permanent good news that the minister is trying to convince us it is.

LEGISLATIVE PAGES

The Speaker (Hon Chris Stockwell): I'd just like to notify the House that this is the last day for the legislative pages. I would like to take this opportunity to thank them and appreciate the hard work and effort they put in. I hope they enjoyed their stay as much as we certainly enjoyed having them. Thank you.

Mr James J. Bradley (St Catharines): On a point of order, Mr Speaker: I am wondering why the pages would be leaving one week before the Legislature is going to close down. If it's a matter of money, I think the provincial government is spending \$2,600 a day for —

The Speaker: No. They're supposed to go back to school, I believe, next Monday.

Interjections.

The Speaker: And I thought this was non-controversial.

ORAL QUESTIONS

DISCLOSURE OF CONFIDENTIAL INFORMATION

Mr Joseph Cordiano (Lawrence): My question is for the Premier. It's been almost a week since the former Minister of Health resigned because his most trusted senior adviser disclosed highly sensitive and confidential information with the intent of smearing a private Ontario citizen.

We asked you on Tuesday to release the log of all requests for OHIP information from the minister's office and all corresponding OHIP documentation. You indicated, and I quote, "That would be fine." That information can be obtained and copied in a matter of minutes. You've had almost three full days. Why are you denying us this very simple request? What are you trying to hide?

Hon Michael D. Harris (Premier): I think the Minister of Health has that information.

Hon David Johnson (Chair of the Management Board of Cabinet, Minister of Health, Government House Leader): As all the members of this Legislature know, the privacy commissioner is doing an investigation into this matter. This government has moved expeditiously; I think this government has moved with lightning speed. The individual involved has resigned. The Minister of Health has taken a very honourable position, one that I might say members of the opposition in various circumstances in other governments did not take, and he resigned. Indeed, the government has called in the privacy commissioner to investigate this matter.

I will say that I did talk to the privacy commissioner this morning. The privacy commissioner has started the investigation, is eager to get on with the investigation and has expressed no reservations about the investigation. I think we should allow the privacy commissioner to fulfil his responsibility.

Mr Cordiano: It's obvious the Premier does not want to get involved in this matter. He's trying to stonewall. The Minister of Health, all your answers are inconsistent over there. Is it any wonder that we're becoming more suspicious on this side, and that as each and every day goes by more and more people are becoming suspicious of why you're trying to prevent us from getting at the truth.

Let me tell you why the logs are so important, Premier and Minister. They'll help us understand how the private information of a Peterborough doctor was obtained when and by whom. That's what we've been asking you for a number of days. Yesterday, the Deputy Premier stated that "there is nothing to indicate that anyone in the former minister's office requested any confidential information, including the minister." How would he know that? Has he seen the minister's office log or the corresponding OHIP logs? How would he know that?

Hon David Johnson: I'll reiterate again that this is an investigation being conducted by the privacy commissioner and I will say that the privacy commissioner himself has expressed concern about the release of information that would be the subject of his investigation. The member opposite may wish to sit back and reconsider, because the privacy commissioner feels that his investigation should be allowed to proceed and that all of the information, log information or e-mail registration information, whatever is involved, should be focused on his study. The privacy commissioner has grave concerns about what the member for Lawrence is recommending.

Mr Cordiano: The answers are even more inconsistent as we hear them every day. What do you expect us to conclude other than the fact that there is a coverup going on here? What happened? The other day the Premier said he would release the logs. Today he's saying something completely different.

We called OHIP on Tuesday for rules and procedures for the request and disclosure of confidential information by a minister's office. They indicated they would get right back to us. They didn't. We called yesterday. Still nothing.

Premier and Minister, if you've got nothing to hide, then why don't you authorize the release of the logs and the Ministry of Health's protocol for requests of information? What in heaven's name are you trying to hide? What are you hiding behind? Stop covering up.

Hon David Johnson: We have a situation with the privacy commissioner, who is investigating a situation, who has made a recommendation in terms of how he should approach his investigation. He is recommending that this material, log material, all materials involved with this investigation be directed to his investigation. I have the member for Lawrence who doesn't agree with that approach. Perhaps the member for Lawrence would wish to conduct the investigation.

The privacy commissioner is eager to get on with the job. The privacy commissioner is asking that this infor-

mation be directed, that this log information be directed through him, and is concerned about the release of this until he's had an opportunity to investigate. I would say that we should understand what the privacy commissioner is requesting and we should give him full support in his investigation.

The Speaker (Hon Chris Stockwell): New question.

Mr Gerard Kennedy (York South): My question is for the Premier. I invite the Premier to stand up and discuss the integrity of his government's handling of the James-Wilson affair because there are questions out there. These are not questions just raised by this side of the House; they exist in the public mind.

If there's an interest on the other side of the House in establishing this, we've heard the new Minister of Health, who wasn't in charge at the time the question I have pertains to, relate to the importance of materials. That's my question, Premier: the evidence. When was the evidence collected from Mr Brett James's office?

We know from the logs released yesterday from the security that there were 10 people through those offices that were supposedly secured. The new Minister of Health said that those offices were secured. Premier, I'd like to hear from you. Have you made it your business to know who secured that information from Mr James's office? When was that evidence secured? Was it by the privacy commissioner's office? Was it by the police? We'd like to hear from you.

Hon Mr Harris: I have called in the acknowledged top expert in the whole of the country, as far as we know, the privacy commissioner, to deal with these matters, and the Minister of Health has answered all the specific questions that you've asked already.

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Mr Kennedy: That's completely unacceptable. That is utterly unacceptable if you wish to have a scintilla of integrity attached to your behaviour in this affair. Again, Premier, who secured the evidence in Mr James's office? That is surely information you have. You cannot be credible in having us believe that in the four days that elapsed before you appointed the privacy commissioner your government handled this in the way that it should have handled it unless you let us know who's got that evidence, how was it taken care of, and did the 10 people who were in those offices on that weekend have access to that information, because there is no way you can assure us the privacy commissioner can do his job if this is the basis on which you're going to leave it, if you're going to leave this question hanging in the air.

Again, Premier, I'd ask you to stand behind the integrity of your handling of this affair and let us know the details of how this evidence, without which this investigation is meaningless, has been handled.

Hon Mr Harris: The acting Minister of Health, the Minister of Health now, has answered those questions. You seem to want to know from me and you want me to answer the questions, so I am happy to answer what I know.

I know this: I know that I have acted faster than any Premier in the history of my election in 1981. I know that the minister involved acted faster when he found an impropriety, that being improper use of information that

he had. I know that the minister stepped aside so that the acknowledged top expert — to this date, I have not heard anybody suggest anybody better than the privacy commissioner, who knows these matters, anywhere in the province. I acted very quickly to move on that.

If you would like me to bring up your government's record, I need only say two words: Joan Smith, and the months it took before anybody moved to do anything.

Mr Kennedy: I have a couple of words for the Premier: government accountability. Let's see some.

The investigation is only as good as the evidence; it's only as good as the frame of reference for this commissioner. You told us that those offices were secured, and we now know that 10 people were walking through them, and you won't tell us who secured the evidence. You may not like it, Premier, but the integrity of your whole government is wrapped into this affair. The integrity of your government is tied to this.

You want us to believe that you set fair terms of reference and you won't even tell us how the evidence came to be in the hands of the privacy commissioner or indeed whether he has that. Now, we've asked for something fair, which if you're interested in seeing integrity brought to this issue you would agree to, which is a commission of inquiry. If you won't at least do that, will you at least do something reasonable: Will you at least allow the proper committee of the Legislative Assembly to meet with the privacy commissioner to review his terms of reference to be assured that he has the evidence and the other means by which to hold a proper investigation?

Hon Mr Harris: The privacy commissioner, who I think you would acknowledge is far more expert in this area than me or you or anybody in this Legislature, has offered and will table his report with the Legislature, and he'd be happy to come and explain his report, talk to you, discuss the findings, and at that particular point in time we can assess that information and actions that were taken.

I have complete confidence that you will find that this minister has acted more honourably than any in the history of my time in the Legislature, since 1981, and that this Premier has acted independently, effectively and as quickly as any Premier has acted.

If there's something else you want, it will all be made available to you, because this privacy commissioner will report to the entire Legislature, and you're a member of that Legislature.

The Speaker: New question.

Mr Howard Hampton (Rainy River): My question is to the Premier. I want to ask you about Jan Dymond. We understand that she was hired as a public relations consultant on November 22 in the former Minister of Health's office. Brett James was the communications assistant for the former Minister of Health. We understand that Jan Dymond and three other outsiders were in the former Minister of Health's office on the Saturday after Brett James approached a Globe and Mail reporter with confidential information from Ministry of Health files.

Your government has told us that the situation in the former Minister of Health's office called for security

procedures to take place in the aftermath of the James incident. Offices were to have been sealed. Can you tell me this: Jan Dymond is a public relations consultant. Why was she in the minister's office on Saturday? What possible reason is there for a public relations consultant being in an office where there is a security breach —

The Speaker: Thank you. Premier.

Hon Mr Harris: I'll refer it so the Minister of Health can answer.

Hon David Johnson: Jan Dymond has been employed, as indicated, since November 22 with the Ministry of Health. There were roughly 10 people, as I understand, of the Ministry of Health, including Ms Dymond, in the building. It's very general that there would be five or six people working in the building at any given time on the weekend. That's normal circumstance.

There were about four or five more people working on that particular weekend, including Jan Dymond, involved with the negotiations that are under way with the doctors, and there was a negotiating team meeting. Ms Dymond, involved with long-term communications with regard to the negotiations, was in the building in that capacity on that weekend.

Mr Hampton: I'm not sure I got an answer there, but I want to try again. We know that in other situations where the government claims there was a security breach, they immediately called the police and began an investigation. Here there were government spin doctors going in and out of the building even after it was supposed to be sealed.

There is, under Ministry of Health legislation, a security policy manual. According to that security policy manual each and every employee, including GO Temp and contract staff, is to undertake a security briefing and sign an attestation to that security briefing whenever he or she works for the Ministry of Health in any capacity.

The Speaker: The question.

Mr Hampton: This is required by Ministry of Health law. I ask the minister: Has Jan Dymond taken her oath of secrecy? Had she been briefed on the security manual? Did she sign the oath of secrecy, as required by Ministry of Health legislation?

Hon David Johnson: I have asked security questions of the staff of the Ministry of Health and they have assured me that the procedures you're referring to in the employee security and confidentiality orientation manual have been obeyed in their fullest.

1420

Mr Hampton: My question is very specific: Did Jan Dymond, and for that matter did the three other outsiders who were in there on that Saturday, sign the Ministry of Health security policy oath of secrecy? Have they been given the briefing and have they signed for it? I say to the minister: As you know, failure to sign this is a breach of the Public Service Act.

I ask the minister: Will you produce for us now — you should be able to produce this by the end of question period — the signed oath and attestation of not only Jan Dymond but of every other individual who was working in the Minister of Health's office that day? Will you produce that for us, please?

Hon David Johnson: First I want to address that there is an assumption of people being in a specific office, but the employees who violated no rules or regulations whatsoever, who had every right to be in this building, who indeed were working in most cases — not all cases — on their own time, were in the building in general. Half of them were there for a very specific purpose in terms of the negotiating process which is under way at the present time, and the other people were there in the normal course of doing their duties.

The specific answer to the member's question is that yes, Jan Dymond has signed the confidentiality forms, the proper forms, as is required.

Mr Hampton: I ask the minister to produce the signed oaths. You should be able to produce those by the end of question period.

MUNICIPAL RESTRUCTURING

Mr Howard Hampton (Rainy River): My question is for the Minister of Housing. Everyone knows that your megacity scheme is based on no research, no public consultation and no thought, just on your dream of wiping out local democracy in Metro. Your megacity scheme hasn't even received support from the Golden task force, nor did the handpicked Crombie panel rubber-stamp your scheme. They said this should have at least four months of thought and consultation.

All you've got in your attempt to prove that your scheme would save money is an Ernst and Young study of a year ago in which the consultants were forbidden to talk to anyone who actually runs the services. Now we hear that you've asked KPMG to do a three-week quickie study of perhaps cost savings. Minister, do you confirm that you've commissioned a three-week study by KPMG to try to justify your megacity scheme?

Hon Al Leach (Minister of Municipal Affairs and Housing): If there's anything that has been studied in Ontario, it's the governance of the greater Toronto area, and specifically Metro. There have been more studies — I think the number is 63 — looking at the various forms of government that are available to us.

We're taking all that information — the Golden report, the Crombie report, the mayors' report, the Metro report — we're reviewing them and we're going to come up with the best level of government to serve the people of this province. We also have internal reports or reviews going on and we have an external report going on too.

Mr Hampton: Minister, the perception out there is that this megacity bomb has been dropped on people's heads, that you aren't interested in any studies unless they support your scheme. It is very clear that the Crombie panel does not support your scheme, so I can understand why you want this KPMG study. Since this concerns democracy for all people in the greater Toronto area, since it concerns all the municipalities, which may be wiped off the map, will the minister today table the terms of reference he's given to KPMG as well as any interim reports he's received? Will you also tell us how much you're paying for them?

Hon Mr Leach: I can tell the honourable member across that David Crombie stood up and specifically said that he supports a single city for Metropolitan —

Mr Tony Silipo (Dovercourt): He was the only one.

Hon Mr Leach: He's the only one? He was in charge of the study. The person who was in charge of the panel has recommended that we have one single city, and I agree with Mr Crombie in that instance.

Yes, we have commissioned a study. The costs of that study are within the Management Board guidelines.

Mr Hampton: It was a very simple question. The minister has commissioned the study. He should be able to provide the people of Toronto with the terms of reference for the study and any ancillary studies. That should not be a problem. You should be able to produce that here today. You should be able to tell the people of Toronto how much you're paying for it.

You should also be able to do this: It seems to me that you're so convinced about your scheme that people across the greater Toronto area deserve a say in this, and they're asking for a say; 75% of the people have said they want a referendum on this. So I ask you, will you make the terms of reference available to people, and will you also give people what they want: some democratic decision-making? Will you give them the referendum they're asking for so that they can tell you, yes or no, they believe in your megacity scheme?

Hon Mr Leach: I will provide the member with a copy of the report and the terms of reference and all that information in the fullness of time. We'll be releasing that report very shortly, and I'll make sure the leader of the third party is one of the very first to get a copy of that report.

In the matter of referendums, I don't know whether the leader of the third party has talked to his backbenchers, but Mr Christopherson, for example, says, "Referendums are not useful in sorting out municipal restructurings." That's probably the first time I've ever concurred with that member. Mr Hampton himself has said that referendums don't work. "We don't need it," Mr Hampton said. "Referendums don't work for municipal restructurings." They're doing more flip-flopping than the Liberals on this situation.

DISCLOSURE OF CONFIDENTIAL INFORMATION

Mr Gerry Phillips (Scarborough-Agincourt): My question is to the Premier about the affair with the Ministry of Health and Mr Wilson. The Premier can appreciate that we are very dissatisfied with the approach that's being taken, but I want to take you back to an answer you have on Tuesday.

You talked to the former Minister of Health on Monday morning and reached agreement with him then, I gather, that he would step aside. You then assured the House that you were assured that the records were sealed in both Mr James's office and in Mr Wilson's office. Can you tell the House whom you instructed to seal those offices, and can you assure the House that it was not the Ministry of Health or the Ministry of Health's political staff who can be implicated in this, that it was either the police or the privacy commissioner?

Hon Michael D. Harris (Premier): I think I indicated that information when I was asked about it in the Legislature on Tuesday, as best I can recall. I am relaying to the

House the information that's been given to me by the Ministry of Health. If you want specifics, the Minister of Health now has as much up-to-date information as he possibly can and is prepared to release everything he can, subject to the top person involved in privacy matters in the province's approval. If you would like to ask the minister that, I know he'd be glad to do that.

Mr Phillips: No, I want to ask you the question. You have the responsibility. You appointed the minister. Something very unacceptable has happened under the minister's nose. You took responsibility. You assured the House that the minister's office and Mr James's records were sealed.

We want to know from you, no one else, because you took charge of this, you issued the instructions, you're now responsible — it is a very simple question, Premier, that you'll have to answer eventually. I asked you a few moments ago and I ask you again: Whom did you instruct to seal those records? Was it the privacy commissioner or was it the police?

Hon Mr Harris: I didn't instruct anybody to seal the records. The records were sealed without my instruction. 1430

The Speaker (Hon Chris Stockwell): New question.

Mr Howard Hampton (Rainy River): My question is for the Premier, and it concerns Jan Dymond again. We are told that George McCague, a former member of the Legislature, who is a government negotiator in the talks with the Ontario Medical Association and who is one of the people who was at the former Minister of Health's office on that Saturday, said Wednesday evening that he and the three other negotiators representing the government met by themselves to discuss strategy.

McCague said he did not know what other staff members were doing. He said he did not know Dymond or what she might have been doing here. Now the Minister of Health just said she was there involved in negotiations. George McCague, who is one of the government negotiators, says, "No, no, Ms Dymond wasn't involved in any discussions with us." He says he has no idea what Jan Dymond was doing there. I ask you, Premier, if your negotiator doesn't know Ms Dymond and doesn't know what she was doing there, would you please tell us now what a spin doctor was doing in a security —

The Speaker: Thank you. Minister of Health.

Hon Mr Harris: Thank you very much, Mr Speaker. The Minister of Health, I know, would have that information.

Hon David Johnson (Chair of the Management Board of Cabinet, Minister of Health, Government House Leader): It's very simple. Jan Dymond is a communications consultant. She has been in the employ of the Ministry of Health, as the leader of the third party indicated, since November 22. She was in the building on that particular day, being involved in communications, arranging for communications with regard to the negotiations with the doctors, and indeed she was involved in the meeting to some degree.

As with most meetings, the negotiation meeting was a long meeting over a period of time. Mr McCague was there for a certain period of time in the meeting. Ms

Dymond was there for a certain period of time in the meeting. Ms Dymond was also doing work in the building on communications. The two members, Mr McCague and Ms Dymond, apparently did not overlap in the meeting, but at various times they both were involved in the meeting, and Jan Dymond was working in the building on communications.

Mr Hampton: Some things are unbelievable and some things are really unbelievable. Here we have someone who is a negotiator, he's negotiating this for the government with the Ontario Medical Association, and he says: "I don't know Dymond. I don't know why she was there, I don't know what she might have been doing and I don't know what other people who were there might have been doing."

It seems passing strange that the government negotiator doesn't know the spin doctor, doesn't know what she's doing there, doesn't know why she's there. I wonder if the Minister of Health can explain that. I'll ask you again, will you produce the security document that Jan Dymond was supposed to have signed, and would you produce McCague's security document as well and the other people who were there?

Hon David Johnson: I think it's pretty clear to anyone other than somebody who wishes not to understand the situation that Jan Dymond has been involved with communications, with the negotiation process since November 22. I understand that she may not have been involved during that whole period, for whatever reason — apparently Mr McCague has not run into her — but she certainly has been involved.

On that particular day she was in the building, involved in communications with this particular project. Once again, I have been assured that she has signed the proper confidentiality form, and whatever information can be released in that regard I'm sure we would be more than happy to release.

ONTARIO WORKS

Mr John O'Toole (Durham East): My question is for the Minister of Community and Social Services. I know in my riding of Durham East that people have wrestled with the concept of Ontario Works. Can you give us an update on Ontario Works, and more particularly, what happened in the region of Durham yesterday?

Hon Janet Ecker (Minister of Community and Social Services): Thank you to my colleague for the question. I'm very pleased to report that yesterday, after very cautious and thorough consideration, the Durham region council decided to endorse their plan for workfare to become one of the communities across the province that is delivering our Ontario Works program.

We have 14 of the 20 pilot sites up and running. We've also seen that with the new arrangements we've made for funding and helping to support municipalities in their transitional cost, many more municipalities are getting their plans in to us, and we're quite optimistic and quite excited about the progress that has been happening across the province.

Mr O'Toole: This sounds like very good news for the region of Durham and the people of Durham. I'm certain

you will work with them closely to make sure this is successful. But I continue to see media reports that say the deadline for the municipalities to submit their Ontario Works business plan are due in March 1997. This is not my understanding. Would the minister please clarify the issue for the record?

Hon Mrs Ecker: It has been quite a challenge to keep up with all the misinformation that some of our critics have been spreading about what is happening with the Ontario workfare program. One of the things we had heard in the messages from those municipalities that have got workfare up and running was that they felt we needed to do a better job of supporting, both at the staff level and the political level, those communities that are involved in workfare.

One of the ways we've been able to do that is by being a little more generous in the transition costs for them. What we have said is that those municipalities that do get their workfare plans in before the end of March will have more generous transitional funding, because we think that help will actually make them able to move faster in getting these opportunities for those on workfare up and running.

CARDIAC SURGERY

Mrs Elinor Caplan (Oriole): My question is for the Minister of Health. I've been contacted by a family of a woman in southern Ontario who was scheduled to have open heart surgery tomorrow, December 13. She has been on the waiting list for over the past four months.

Jessie has been told that, due to overcrowding in the intensive care unit of the Hamilton Health Sciences general hospital site, her surgery has been cancelled, and that she'll have to wait until some time in 1997, an unspecified date, to have her surgery. Jessie is 65 years old, and she is waiting for triple bypass surgery and that has restricted her life to waiting at home. She's unable to walk more than a few steps without having a problem.

Can the new Minister of Health explain to Jessie, to her family and to others in this province why, after waiting for four months, her surgery has been cancelled, and will he intervene to help her get the surgery she needs?

Hon David Johnson (Chair of the Management Board of Cabinet, Minister of Health, Government House Leader): As the member for Oriole would appreciate, having been on the job for just a few days since Monday, I won't have all the details, but I am sorry to hear of this particular situation. Certainly there are people today who are not being able to get the kind of health care they deserve.

I would ask the member for Oriole to give me the details of this particular situation and I would be happy to follow through with it. I will say, in general, that this government does firmly believe that the health care system in Ontario needs to be improved. That is why we have followed up on the initiative from the previous government, where they appointed the district health councils and spent some \$26 million. I guess, through that process, to bring back in recommendations. We have appointed the restructuring commission to look at restruc-

turing the hospital care in particular, to make it better for people like Jessie in the future.

1440

Mrs Caplan: I can tell the minister why Jessie's surgery has been cancelled. Your government's \$1.3-billion cut to hospital budgets in Ontario is the reason why. Your cuts have led to serious service delivery problems in Ontario's hospitals. This patient's family were told by hospital staff that heart patients are dying on the waiting list.

Your government is paying no attention. You've turned a blind eye to the problems that hospitals are facing. You've been pretending that everything is fine and that your restructuring commission closing hospitals is somehow an answer. I say to you, sir, it is not. Everything is not okay, and you, as Minister of Health, are responsible because your government has cut the hospital budgets.

This further setback for Jessie Morris and her family has caused undue and unnecessary stress, and she needs all the help and the strength she can find. Will the Minister of Health stop the detrimental cuts to our hospitals and tell Jessie and her family that she will receive the care that she needs —

The Speaker (Hon Chris Stockwell): Thank you. Minister of Health.

Hon David Johnson: I think I should inform the member opposite, the member for Oriole, right at the outset that this government has committed to maintaining health care spending. It was a pledge we made to the people of Ontario. Indeed, the pledge we made to the people of Ontario is to spend at least \$17.4 billion, and this year the Minister of Finance has announced \$17.7 billion in health care for the province of Ontario.

But the member for Oriole is correct. There is a government in Canada which is cutting health care in our country, which is cutting health care in the province of Ontario, and that government is the federal government. The federal Liberal government is cutting health care in the province of Ontario.

Notwithstanding that, now that we've cleared the record on that, I am sorry to hear of individual circumstances. The decisions are made by the physicians. It's a clinical decision made by physicians. Nevertheless I would be happy to hear the details of this particular case to see if there's anything that could be done.

DISCLOSURE OF CONFIDENTIAL INFORMATION

Mr David S. Cooke (Windsor-Riverside): I have a question for the Minister of Health. Your lack of answers to the questions over the last few days has contributed to more confusion and a lack of confidence, a loss of confidence in the security of our health care system.

At the beginning of question period, you said Jan Dymond and other political staff were in the minister's office on the weekend to be there because of negotiations with the doctors. Two thirds through question period we bring evidence to you that a former trusted Tory cabinet minister, George McCague, who's on your negotiating committee, says that's rubbish, that's not true.

You have to see that what is at stake here is confidence in our health care system. There's so much confusion, so many unanswered questions. Isn't it time for you to admit that the commissioner on freedom of information has to be given the power to subpoena witnesses, to have testimony under oath, and to have that done in a public forum? Won't you announce that today to restore confidence in our public health care system?

Hon David Johnson (Chair of the Management Board of Cabinet, Minister of Health, Government House Leader): It's interesting. I have this morning talked to the privacy commissioner about this very matter and he has expressed confidence to me in his ability to conduct the study. He's expressed eagerness to get on with the study; indeed he has started. He'll be interviewing people here in Toronto and he'll be interviewing people in Kingston and he's anxious to get on with the study.

Other than pulling allegations out of the air, if the member opposite has any evidence, any specific information, I know the privacy commissioner would be delighted to have it. I would invite the member opposite to submit that information to the privacy commissioner, because we want to make sure that he has all the information and that he does a thorough study and gets to the bottom of this whole matter.

Mr Cooke: It's not pulling things out of the air to be quoting George McCague, a former trusted Tory cabinet minister. He's the one who said those people being in the Minister of Health's office on the weekend had nothing to do with the doctors' negotiations. That's not pulling allegations out of the air; that's quoting one of your appointments.

I also spoke to the commissioner yesterday and he said: "Yes, I can carry out the investigation under the act that I administer only, and if everybody cooperates, everybody tells the truth, I don't need the power to subpoena or have people testify under oath. But if you want me to look at anything under any of the Ministry of Health acts, if there's any question about people telling the truth, and if you want it done publicly" — and if there's ever an instance where this should be done publicly, this is it — "I have to be given more power."

Minister, will you give him more power so the air can be cleared?

Hon David Johnson: We've indicated right from the beginning that, number one, we have confidence in the privacy commissioner. He has a great deal of experience in this matter and I think he will do a thorough job and will get to the bottom of this. However, we've also indicated that if the privacy commissioner comes back and has indicated any impediments, any problems, we will take whatever action is necessary to ensure that this investigation is thorough and that we get to the bottom of this matter.

I will reiterate once again, although I've commented on this, that every weekend there are staff in this building. Every weekend there are people who come to work. This may be a concept foreign to the third party, but people are dedicated to their jobs and they do come in and work on the weekend. They're on the whole floor, they're in the whole building, they're in through all the various hundreds of offices that are in a particular building.

FIREARMS CONTROL

Mr Bart Maves (Niagara Falls): My question is to the Solicitor General. You have said that the government opposes the registration provisions contained in the federal gun control bill, Bill C-68. People in urban ridings and in border communities like mine are concerned about this issue. What alternatives do you support to provide real and effective gun control for Ontario?

Hon Robert W. Runciman (Solicitor General and Minister of Correctional Services): This government believes in real gun control and virtually every provision of C-68 with the exception of registration, which is going to accomplish nothing more than to divert police from front lines in this province. We have asked the federal government for a national firearms unit to fight illegal weapons traffic into this province and into this country but they've been less than receptive up to this point.

I am proud to say that for our part, Ontario spends about \$1.5 million per year for the provincial weapons enforcement unit, which is staffed by the RCMP, OPP and municipal services. Yesterday, as a result of the hard work of these dedicated front-line officers, the provincial weapons enforcement unit announced that it had made one of the largest seizures of illegal weapons in Canadian history. Project Pinball seized hundreds of illegal weapons, including bazookas and hand grenades, and will result in over 250 charges being laid. This is real gun control in action.

Mr Maves: I read about that seizure and I was particularly pleased to see that Niagara police forces were involved in that. I'd like to congratulate them on that. In Niagara we're aware that smuggling is at the root of much of the problem of these illegal weapons. What other initiatives are being introduced to fight smuggling?

Hon Mr Runciman: I share the member's concerns that something more must be done with respect to smuggling problems, especially as they relate to firearms. Some months ago I wrote to my federal counterpart, Herb Gray, and proposed a summit to deal with the smuggling concerns especially of Ontarians, but I think it could be broadened beyond that. Up to this point Mr Gray has indicated that he may be receptive to this. The federal Attorney General, Mr Rock, has also indicated some interest. I will be meeting with Mr Gray next week, and hopefully some time early in the new year we can have a smuggling summit to deal with these very important issues.

1450

HOSPITAL RESTRUCTURING

Mr James J. Bradley (St Catharines): My question is for the Premier. I was afraid when the member for Niagara Falls rose in the House he was going to ask a question about the closing of hospitals in Niagara and beat me to it, but I will ask a question of the Premier about his commitment and closing hospitals.

Premier, no Conservative candidate I'm aware of talked about closing hospitals during the last provincial election campaign, and you said during the leaders' debate, in answer to a very direct question, the following: "Well, certainly I can guarantee you that it's not my plan to close hospitals."

Premier, if you're to live up to this publicly made commitment on the television stations and radio across this province, a commitment to the people of Ontario, will you assure the people of St Catharines that the Hotel Dieu Hospital in our city will not be closed?

Hon Michael D. Harris (Premier): As I recall in the debate, I think the NDP had a commission out to close hospitals, the leader of the Liberal Party said she would not rule out closing hospitals and I said I didn't have a plan at that time to close hospitals. I think all three were quite honest and quite up front at that particular point in time.

What I can assure you is that I still have no plan. However, I can tell you that as a result of the previous government's restructuring efforts, work that was done by the district health councils, people from within the region of Niagara themselves believe that restructuring is necessary, and they are asking the government for support in that.

Mr Bradley: We're not allowed to say that anybody's misleading the House or misleading the people of Ontario, so I won't say that. I only say that the Premier said —

The Speaker (Hon Chris Stockwell): The member for St Catharines —

Mr Bradley: I said I won't say that.

The Speaker: No, it doesn't matter. You can't infer something that you can't directly make the comment on. I ask you to withdraw that comment.

Mr Bradley: I don't think I should, but I will. I will withdraw that comment.

You said, "Well, certainly I can guarantee you that it's not my plan to close hospitals." You can twist that around any way you want. That's very straightforward. Anybody hearing you on television would have assumed that you were not going to be responsible for the closing of hospitals in Ontario.

Your government has slashed \$38 million from hospital operating budgets in the Niagara region, and your government has then sent a blunt message to local hospital restructuring commissions and district health councils that if they don't swing the scalpel, the provincial government, your hospital closing commission, will swing the meat-axe.

Premier, haven't you really intimidated local authorities into recommending the closing of hospitals while you wash your hands of the whole affair?

Hon Mr Harris: No, not at all. I believe the member is referring to the fact that tomorrow the Niagara Regional District Health Council itself is releasing its own restructuring report, a locally developed proposal being available for discussion.

Mr Bradley: No, it's not; it was today.

Hon Mr Harris: Today, perhaps, then. You will be, no doubt, wanting to comment on it. The government will want to comment on it. The Ministry of Health will want to comment on it. Local people will want to comment on it. What I can tell you is that I think all three parties have acknowledged that restructuring is going to be required. Your own leader has indicated there's enough money in the health care system. "I don't think we are spending it as effectively as we can," he said. I agree. For 10 years, it was not spent as effectively as it could have been.

I can assure you that we plan to spend it more effectively, provide better services and work with local communities on how we can do that.

YOUNG OFFENDERS

Mrs Marion Boyd (London Centre): My question is to the Solicitor General. The people of Ontario today, December 12, are still waiting to hear from you and your ministry what went wrong on the night of February 29-March 1 at Elgin-Middlesex Detention Centre.

On September 11, 1996, on your way into cabinet, you said, "The internal investigation with respect to Elgin-Middlesex and Bluewater really hinges upon completion of the police investigation, and the ministry has no role to play here." You went on to say, "Our investigators cannot speak to potential witnesses until the police have completed their investigation, so that's what's delaying us with respect to the internal investigation."

Minister, would you tell us in this House why it would have been inappropriate for ministry investigators to be conducting their investigation while the police investigation was proceeding?

Hon Robert W. Runciman (Solicitor General and Minister of Correctional Services): In fact they were, and they've been conducting a parallel investigation, but they did develop a protocol with the London police with respect to these matters, so that when they were advised by the London police that they had completed their particular investigation, or their need to meet and deal with potential witnesses and others with respect to the investigation, then they would indicate to the internal team that they had no problem with respect to them pursuing that particular matter. That's the way this whole matter has proceeded.

Mrs Boyd: This is very peculiar because this minister has claimed again and again that he could not give us any information about his internal investigation pending the police investigation being completed. It is now, of course. We know that 31 charges have been laid against eight people.

I guess the question here is: The minister has said again and again it would be inappropriate. Now he tells us that it's true. He knows that's because we have the memo from his investigator, Ken Christopherson, to all employees at Elgin-Middlesex, telling them they should come forward if they had information, telling them he was working with the London police, advising them to call at the same number as the London police department, and knowing, as I'm sure he does, that under the Ministry of Correctional Services Act those employees are required to talk to internal investigators, and that the internal investigator was passing on personnel files for employees of the ministry to the police in an inappropriate way.

Minister, what we really see here is a very, very strange circumstance where you've avoided —

The Speaker (Hon Chris Stockwell): Thank you, member.

Hon Mr Runciman: This is a serious matter and I've indicated to the members of the House on previous occasions that I wish to see this resolved as quickly as possible. Certainly every indication from the lead investi-

gator, Mr Christopherson, is that once the police investigation is completed, he felt quite sincerely that they could, in a timely fashion, complete the internal investigation in terms of the Freedom of Information and Protection of Privacy Act and all the other requirements that may fall into place here, but certainly make the results of his investigation as public as we possibly can. Certainly I've had no indication from Mr Christopherson, following the police investigation, that there will be any substantive delay. I'm very optimistic that in the not-very-distant future we will have that internal investigation completed and the results made public as much as possible.

ONTARIO DRUG BENEFIT PROGRAM

Mr E.J. Douglas Rollins (Quinte): My question is to the minister responsible for seniors. In a recent discussion paper put out jointly by the federal government, officials representing all territories and provinces in Canada have found that 50% of medication prescribed for seniors has been inappropriately used. This has serious cost implications to the government in terms of drug expenditures, but more tragic, it has serious health implications. A good many of them who are put into hospital have complications. Better than 40% of those people who are put into hospital are mixed up on medication. What is the government doing to address these concerns of seniors?

Hon Cameron Jackson (Minister without Portfolio [Seniors Issues]): This is a major challenge for health care. As the member has alluded to, the Canadian pharmaceutical manufacturers did a study on this last year and found out that the inappropriate use of medication is costing about \$5 billion to Canadian taxpayers. This isn't just in waste, it's also in overutilization and unnecessary use of our hospitals.

Right here in Metro Toronto, the pharmacists undertook a project earlier this year and asked, "For a two-week period, bring in the excess drugs that you're not using." They collected 8,500 pounds — that's over four tons — of drugs. This is an immense cost to Ontario's drug benefit plan which is costing taxpayers \$1.2 billion.

This government has acted with intensive information packages, but also it has reduced the maximum possible supply per prescription from 250 days down to 100 days, and it has been supporting the Ontario Health Network, a province-wide computer system that helps pharmacists to provide information to seniors on how best to use their medications.

Mr Rollins: In visiting with many of the seniors in the Quinte riding, they are concerned about the waste of medication. They also want to make sure that expanded drug programs are in place. What is the government doing to see that these savings from reduction of waste are reinvested into the plan?

1500

Hon Mr Jackson: We think this is good news because getting at this waste we've been able to save money and reinvest it by adding 275 new drugs to the Ontario Drug Benefit Formulary. We've been adding to the list when the previous two governments took drugs off the list that seniors were paying for.

In June our health minister, the member for Simcoe West, took leadership at the federal-provincial-territorial meetings and is committed to developing a national strategy to increase the proper utilization of drugs by our seniors. Education is the key, and there'll be more coming for information for seniors and caregivers. Already this year the Ministry of Health has published prescribing guidelines to assist physicians in the treatment of heart failure and that is to complement the Minister of Health's initiative for 16 million more new dollars committed to expanded cardiac care.

In every way, this government is reinvesting in health care and we are finding better ways to deliver more service at less cost —

The Speaker (Hon Chris Stockwell): Thank you.

LONG-TERM CARE

Mr Dominic Agostino (Hamilton East): My question is to the Minister of Health. On October 28 I raised in the Legislature the case of 93-year-old Mrs Catherine Duffy, who had been sent a \$9,000 bill by Joe Brant hospital in Burlington. Mrs Duffy was forced to be in the hospital as a result of the lack of home care beds in the region. As a result of that, the board of governors —

Hon Cameron Jackson (Minister without Portfolio [Seniors Issues]): That's not true.

The Speaker (Hon Chris Stockwell): Order. Minister responsible for seniors, that must be withdrawn. *Interjection.*

Mr Agostino: The board of governors reviewed the case and now has suggested that there is a \$9,000 bill outstanding and that a collection agency will now have to go after Mrs Duffy to collect the money. Minister, do you believe it's appropriate for a hospital in this province to send a collection agency after a 93-year-old woman to collect a \$9,000 bill?

Hon David Johnson (Chair of the Management Board of Cabinet, Minister of Health, Government House Leader): On the basis of the description that the member opposite has given to me, I can understand there would be a great deal of sympathy for this individual. But I quite often find that when I've had an opportunity to look into these matters, the story is somewhat different from the one I'm presented with in the first instance. So again I would say that, with the assistance of my colleague from Burlington, who I know is well-versed on this matter, I'll be happy to look into the circumstances of this particular situation.

Mr Agostino: I spoke to Mrs Duffy's daughter today. Ms Morris said to us very clearly that she went to the hospital, she appealed the decision, that the hospital made it very clear to her they're not going to waive the \$9,000 bill. The reason this woman had to be placed there was because there was not a bed available in Halton region and she felt she had to be near there, she had to be in a situation where she could look after her mother. Most of us in that situation would react the same way. As a result of that, she is facing a bill. It is very clearly, and the hospital administrators told us, a result of the cutbacks and the shortage in hospital beds. That is the reason why this had to occur and why this bill was sent.

Minister, would you give us a commitment today that you will personally look into the case and that you will talk to the hospital administrators about waiving this \$9,000 bill and reassure this 93-year-old woman that a collection agency will not be going after her for the bill?

Hon David Johnson: I'd be happy to give a commitment that I would look into this particular matter. If the member opposite will pass the details, again with my colleague from Burlington, I'm sure we'd be happy to get the details and respond to this.

I will say that of course the decision to levy the charge comes from the hospital, not from this government. This government has put health care as its number one priority of all services through the last election and through the term of this government. We have increased health care spending by \$300 million in the province and we're looking to make health care better, including the health care through the hospital systems in the Hamilton area. But I'd be happy to look into the circumstances.

Mrs Elinor Caplan (Oriole): They would rather have access to health care than a tax cut.

The Speaker: Member for Oriole, come to order, please.

Mr David Christopherson (Hamilton Centre): Mr Speaker, on a point of personal privilege: Earlier the Minister of Municipal Affairs attributed a direct quote to me that indeed is not a quote from me at all. It's a characterization by a reporter, and I was only commenting about Hamilton-Wentworth. I want to correct the record —

The Speaker: The fact is, you can't correct someone else's record. You can only correct your own record.

Mr Christopherson: Well, it is my name he used and he is wrong.

The Speaker: Then it's up to you to stand in your place at some point in time and say that specifically.

Mr Christopherson: I just did.

The Speaker: I know. That's why points of privilege are so interesting.

PETITIONS

TAX REDUCTION

Mr Dominic Agostino (Hamilton East): I have a petition entitled Stop the Cuts to Ontario's Poor: Express Your Conscientious Objection to Tax Cuts.

"The government of Ontario is planning to implement tax cuts that will benefit well-off people while at the same time they have cut incomes to the poor. Forty-six percent of Ontario families make less than \$35,000 a year but will get only 7.3% of the benefits of the proposed tax cuts, or about \$462 a year. Families with total incomes over \$90,000 a year make up only 9.2% of all Ontario families, but they will get 32.7% of the benefits. In these tough times it is unconscionable that the poor go hungry and the wealthy are given more.

"Therefore, we, the undersigned, request that the Legislature of Ontario not approve any tax cuts until the causes of poverty and unemployment are dealt with effectively and until the provincial deficit is paid down."

I affix my signature to the petition.

PROTECTION FOR WORKERS

Mr David Christopherson (Hamilton Centre): I have a petition from CEP on behalf of the tens of thousands of workers they represent.

"To the Legislative Assembly of Ontario:

"Whereas the Harris government will introduce legislation to amend the Workers' Compensation Act and distribute a discussion paper about changes to the Occupational Health and Safety Act; and

"Whereas the expected changes include erosion of the right to refuse unsafe work; that workers will be forced to apply to their employer for WCB benefits; that employers will decide if the claim is valid; that reduction in power of the joint health and safety committees will be enacted; and elimination of compensation for certain injuries and diseases; and

"Whereas the Workers' Compensation Act is a vital protection for all workers in Ontario; and

"Whereas the Occupational Health and Safety Act has prevented untold numbers of accidents and saved thousands from illness and diseases;

"Therefore, we, the undersigned, demand full public hearings throughout the province of Ontario on the Workers' Compensation Act proposed changes, and that no changes to the Occupational Health and Safety Act, workers' right to refuse and joint health and safety committees be made."

I add my signature to theirs.

MUNICIPAL RESTRUCTURING

Mr Toni Skarica (Wentworth North): I have a petition here signed by 4,000 people in my riding and from Flamborough out of a population of 28,000. It states as follows:

"We, the undersigned, petition the Parliament of Ontario as follows:

"We object to the recently proposed supercity model for restructuring local government within Hamilton-Wentworth.

"Specifically, we oppose any model which would dissolve the town of Flamborough.

"We insist that any model for local government reform guarantee full citizen input and support prior to its implementation in accordance with the principles of the Common Sense Revolution."

I support this petition and have affixed my name to it.

FAMILY SUPPORT PLAN

Mr Michael A. Brown (Algoma-Manitoulin): "To the Legislative Assembly:

"Whereas the closing down of regional offices of the family support plan has left cases inaccessible and unattended for both payors and recipients;

"Whereas the recipients represent real women and real children now facing eviction, food banks, loss of heat and phone services directly due to the closing of the regional offices and the unattended boxes of files;

"Whereas the support funds are not the property of Charles Harnick and his ministry and the holding of these

payments violates the rights of children to basic needs of food, clothing and shelter;

"Whereas the present Tory government is not responding to but adding to the increased poverty in Ontario in the area of family support, contravening the UN designating 1996 as the International Year for the Eradication of Poverty;

"We, the undersigned, recommend to the Legislative Assembly as follows:

"To stop the forced passing of Bill 82 with the exception of the enforcement strategy and hold open forum with the people;

"To immediately expedite the disbursement of the FSP cheques to women and children who have been directly affected by the closing of the regional offices at least;

"To set up emergency FSP offices to handle the economic hardships of women and children by hiring back at least a skeletal crew of FSP trained staff to alleviate the numbers of the mishandled cases;

"To send out ministerial statements to the offices of hydro, telephone and banking institutions explaining the transition of the FSP office and supply emergency cash to those recipients via the ministries of Community and Social Services, women's issues or the ministry of Charles Harnick."

It's signed by a large number of my constituents, mostly from the Elliot Lake area.

1510

RENT REGULATION

Mr Rosario Marchese (Fort York): I have a petition because a lot of people all over Ontario are very concerned about this so-called Tenant Protection Act. This one comes from Essex, Ontario. It's a petition to the Ontario Legislature, to Premier Mike Harris, Minister Al Leach and members of the Ontario Legislature.

"Whereas Mike Harris's Conservative government of Ontario is planning to destroy the present system of rent control;

"Whereas Mike Harris and the Conservative Party made no mention of scrapping rent control during the election campaign of 1995 or in the Common Sense Revolution document;

"Whereas a number of Conservative candidates in ridings with high tenant populations campaigned during the 1995 election on a platform of protecting the current rent control system;

"Whereas the government has consulted with special interest groups representing landlords and developers while cutting funding to organizations representing the 3.5 million tenants of Ontario;

"Whereas although all renters will suffer, seniors and others on fixed incomes will suffer particular hardship if rent controls are abolished; and

"Whereas eliminating rent control will result in skyrocketing rents in Ontario;

"Therefore we, the undersigned, call upon the Legislature of Ontario to stop the attack on the 3.5 million tenants of this province."

I support this petition.

PUBLIC LIBRARIES

Mr Harry Danford (Hastings-Peterborough): "To the Legislative Assembly of Ontario:

"Whereas we believe that provincial interest in public libraries in Ontario is fundamental to the rights of all Ontarians;

"We, the undersigned, petition the Legislative Assembly of Ontario to maintain the provincial interest in public libraries by ensuring the continuance of the following:

"Grants to ensure that all Ontarians have equalized access to library materials and services;

"Coordination of resource-sharing programs such as interlibrary loan and Internet access;

"Policy to ensure the future of the network of Ontario public libraries;

"Provincial assistance directly to libraries at the service level, for example, through Southern Ontario Library Service and Ontario North service;

"Legislation that maintains the autonomy of public library boards."

This is signed by over 200 constituents in the riding of Hastings-Peterborough, and I affix my signature.

NURSING STAFF

Mrs Elinor Caplan (Orillia): I have a petition to the Legislative Assembly of Ontario.

"We, the undersigned, protest the Ministry of Health's decision to allow for the removal from the Nursing Home Act the requirement for a minimum of one registered nurse on duty 24 hours per day, seven days per week.

"Literature supports, as does the ministry's resident classification, that the care requirements of residents in long-term-care facilities are steadily increasing and are increasingly more complex.

"Residents have multiple health problems requiring the knowledge and skill of the registered nurse to assess and intervene appropriately.

"We believe that the residents have a basic right to registered nurse care and supervision."

This is respectfully submitted from hundreds of long-term-care residents, their families, their friends and their caregivers. I sign my name to this important petition.

WORKERS' COMPENSATION

Mr David Christopherson (Hamilton Centre): I have further petitions from the United Food and Commercial Workers, Canadian Auto Workers, United Steelworkers of America, Canadian Union of Public Employees and the Amalgamated Transit Union with regard to the government's continuing attack on workers' compensation.

"To the Legislative Assembly of Ontario:

"We, the undersigned, oppose your government's plan to dismantle the workers' compensation system including reducing benefits; excluding claims for repetitive strain injuries, muscle injuries, strains, sprains, stress, harassment and most occupational diseases; eliminating pension supplements; handing over control of our claims to our employers for the first four to six weeks after injury; privatizing WCB to large insurance companies; integrating sick benefits into WCB; eliminating or restricting the Workers' Compensation Appeals Tribunal, WCAT, in-

cluding eliminating worker representation on the board and eliminating the bipartite WCB board of directors.

"We therefore demand a safe workplace, compensation if we are injured, no reduction in benefits, improved re-employment and vocational rehabilitation, an independent appeal structure with worker representation and that the WCAT be left intact and, further, that the WCB bipartite board of directors be reinstated."

I add my name to theirs.

BEAR HUNTING

Mrs Brenda Elliott (Guelph): I have a petition pertaining to ending certain hunting practices such as spring bear hunting, bear baiting and the use of hounds to hunt bear. It is signed by 429 concerned Ontarians, most from my riding of Guelph. It appears to be in a standard form and I'm submitting it on their behalf today.

HOSPITAL RESTRUCTURING

Mr James J. Bradley (St Catharines): I have a petition signed by a number of people in St Catharines that reads as follows.

"Whereas the Conservative government of Mike Harris has closed three out of five hospitals in Thunder Bay and two out of three hospitals in Sudbury; and

"Whereas drastic funding cuts to hospitals across Ontario are intimidating hospital boards, district health councils and local hospital restructuring commissions into considering the closing of local hospitals; and

"Whereas hospitals in the Niagara region have provided an outstanding essential service to patients and have been important facilities for medical staff to treat the residents of the Niagara Peninsula and will be required for people in Niagara for years to come; and

"Whereas the population of Niagara is on average older than that in most areas of the province;

"We, the undersigned, call upon the Minister of Health to restore adequate funding to hospitals in the Niagara region and guarantee that his government will not close any hospitals in the Niagara Peninsula."

I affix my signature as I'm in complete agreement, and I hand this petition to the page from the city of St Catharines, Lauren Kennedy of St Denis school.

HEALTH CARE FUNDING

Ms Marilyn Churley (Riverdale): I have a petition from a number of people in my riding. I have received many of those same petitions before, which I read here. It reads:

"Whereas proposed cuts in transfer payments pose a threat to Canada's national health care system; and

"Whereas, despite Mike Harris's promise on May 3, 1995, of 'no cuts to health care spending,' his November 29 economic statement contains '\$1.3 billion or 18% cuts to hospital spending over the next three years, and a further \$225-million cut from the health care budget'; and

"Whereas, despite Mike Harris's promise in the Common Sense Revolution that aid for seniors and the disabled would not be cut, his November 29 economic statement shows cuts to the Ontario drug benefits plan and threatens access to drugs based on ability to pay; and

"Whereas the late Supreme Court Justice Emmett Hall, the father of Canada's medicare system, stated: 'The only thing more expensive than good health care is inadequate or no health care'; and

"Whereas Ontario residents enjoy a one-tier health care system for all, regardless of financial status, without copayments or user fees;

"We, the undersigned residents of Ontario, call upon Premier Mike Harris and the Legislative Assembly of Ontario to maintain and protect the health care provisions presently provided to all Ontario residents."

I affix my signature to this petition.

FAMILY SUPPORT PLAN

Mr David Tilson (Dufferin-Peel): I have a petition addressed to the Legislative Assembly of Ontario.

"Whereas the administration of Families Against Deadbeats, Renate Diorio, Heinz Paul and Danielle McIsaac, are in total support of Bill 82, presented by the Honourable Charles Harnick to the Legislative Assembly on October 2, 1996, outlining the Family Responsibility and Support Arrears Enforcement Act, 1996, to replace the Family Support Plan Act, 1992;

"Whereas the changes will relieve the taxpayers of Ontario and provide proper enforcement required to collect and administer child support payments and orders;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"We support and agree with all of the changes outlined in the Family Responsibility and Support Arrears Enforcement Act, 1996, set forth by the Honourable Charles Harnick as Bill 82, and urge the Legislature to pass this bill into law as soon as possible."

I support this petition and have signed it.

1520

EDUCATION FINANCING

Mrs Caplan: I'm forwarding this petition on behalf of the students and families of St Timothy school:

"Dear Legislative Assembly of Ontario:

"Whereas the Minister of Education promised that cuts to education would not hurt the classroom;

"Whereas the cuts to education have resulted in many of our very young children being housed in inadequate, poorly ventilated portables;

"Whereas the children who are housed in portable classrooms that occupy crowded school yards are educationally at risk and their safety is in jeopardy;

"Whereas the current moratorium on capital expenditure makes it impossible for some school boards to provide safe, comfortable learning environments for our children, thus adversely affecting the quality of their education;

"Whereas the government of Ontario has proposed that \$250 million be spent on the building of a superjail while withholding funds for necessary school construction;

"We, the undersigned, petition the Legislative Assembly as follows:

"Remove the freeze on capital expenditures to ensure that our children are educated in buildings appropriate to and conducive of learning, comfort and safety."

I add my name in support of this important petition.

INTRODUCTION OF BILLS

COMMUNITY SAFETY ACT, 1996

LOI DE 1996

SUR LA SÉCURITÉ DE LA COLLECTIVITÉ

Mr Jackson moved first reading of the following bill:

Bill 102, An Act to improve community safety by amending the Change of Name Act, the Ministry of Correctional Services Act and the Police Services Act /
Projet de loi 102, Loi visant à accroître la sécurité de la collectivité en modifiant la Loi sur le changement de nom, la Loi sur le ministère des Services correctionnels et la Loi sur les services policiers.

The Acting Speaker (Mr Bert Johnson): Is it the wish of the House that this motion carry? It is carried.

Hon Cameron Jackson (Minister without Portfolio [Seniors Issues]): The Community Safety Act is a very important step towards making Ontarians feel more safe in their own communities. By amending the Police Services Act and the Correctional Services Act and the Change of Name Act, administered by the Ministry of Consumer and Commercial Relations, this new act will allow justice officials to notify the public of the release of dangerous offenders into their community.

The act will also close some of the legal loopholes around the change of name process. For example, the amendments to the Change of Name Act will provide a process for police to update information to reflect an individual's legal name change on the Canadian police information system. By allowing the linking of individuals to their criminal record despite a change of their name, the Community Safety Act will result in improved law enforcement and investigation in areas such as restraining orders on spouse abusers and stalkers.

Finally, these amendments enhance victims' and community access to information at all stages of the justice process, fulfilling the principles of the Victims' Bill of Rights brought in by this government. These amendments are also in keeping with the recommendations made by the Christopher Stephenson inquest and support the victim notification system of the ministry of the Solicitor General and Correctional Services.

The Acting Speaker: I would like to remind the minister that it's customary that it's a brief statement and not debate.

ORDERS OF THE DAY

FAMILY RESPONSIBILITY AND SUPPORT ARREARS ENFORCEMENT ACT, 1996

LOI DE 1996

SUR LES OBLIGATIONS FAMILIALES ET L'EXÉCUTION DES ARRIÉRÉS D'ALIMENTS

Mr Tilson, on behalf of Mr Harnick, moved third reading of the following bill:

Bill 82, An Act to establish the Family Responsibility Office, protect the interests of children and spouses through the strict enforcement of support orders while

offering flexibility to responsible payors and make consequential amendments to certain statutes / *Projet de loi 82, Loi créant le Bureau des obligations familiales, visant à protéger les intérêts des enfants et des conjoints grâce à l'exécution rigoureuse des ordonnances alimentaires tout en offrant une certaine souplesse aux payeurs responsables, et apportant des modifications corrélatives à des lois.*

Mr David Tilson (Dufferin-Peel): I intend to make a few remarks with respect to Bill 82 on behalf of the government. After that, I believe it's been agreed with the two opposition parties that the remaining time would be split between them and that there would be no two-minute responses.

In presenting Bill 82 for third reading today I would like to express the appreciation of the Attorney General and myself to all the members of the standing committee on administration of justice for their comments with respect to this bill. I'd like to thank them for their support in allocating time during the current session to ensure a speedy passage of this bill. Your support, we believe, will help us to get more money flowing to women and children in this province. Although we may differ with respect to some aspects of the approach, I know we share a common concern in wanting to enhance justice for children and women.

I would also like to thank all the presenters who came to the committee hearings last week to share their views with respect to Bill 82. I appreciate the effort and time they took in preparation and making their presentations to the committee.

During the committee hearings a total of 51 amendments were made to Bill 82. The amendments will further strengthen the bill's effectiveness in meeting the needs of children and women, clarify its intent and address some concerns that emerged during our debate of Bill 82.

In my remarks this afternoon I will highlight some key amendments that have been made. The goal of the Family Responsibility and Support Arrears Enforcement Act is to provide a strong, firm foundation for a new support enforcement program in Ontario that will truly meet the needs of women and children by providing them with economic security and the funds they are legally entitled to receive.

The old family support plan, while well intentioned, is broken. It is not meeting the needs of children and women.

Our government's new legislation deals with the shortcomings and weaknesses of the old plan. It closes the loopholes that led to the situation where today defaulting payors owe Ontario's children and women nearly \$1 billion in support payment arrears, where three out of four families are not getting the money they deserve and which they are legally entitled to receive, and where money is not flowing regularly in nearly half the family support plan cases.

Our new legislation puts three critical building blocks in place: (1) tougher enforcement measures; (2) automatic filing with voluntary opting out; and (3) private sector partnerships. They form the basis for a new, more effective support enforcement plan that will get the children and women of Ontario the money they rightfully deserve and that they are legally entitled to receive.

Bill 82 sends a clear message to defaulting payors: Not paying support obligations is no longer acceptable in Ontario. With the passage of Bill 82, Ontario will have some of the most stringent support enforcement measures in North America. These include 10 tough new tools.

The first is driver's licence suspension. Under part V of the bill we are giving the new Family Responsibility Office the authority to suspend the drivers' licences of people who refuse to meet their family support responsibilities. Defaulting payors will receive 30 days' notice to pay their arrears or arrange a satisfactory payment plan. Otherwise we will suspend their licences.

The suspension will not depend on the five-year licence renewal scheme. We will not reissue a suspended licence until the defaulting payor pays off the debt or establishes a satisfactory repayment plan.

The Family Responsibility Office, pursuant to section 47 of the bill, will have the right to report defaulting payors to credit bureaus. By reflecting negatively on their credit ratings, it will be harder for defaulting payors to take loans and buy luxury items while their support payments go unpaid.

We anticipate that both driver's licence suspension and credit bureau reporting will be very effective in enforcing support order payments by self-employed and intermittently employed payors.

Bill 82 gives the Family Responsibility Office the authority, under section 43, to register support orders as security interest under the Personal Property Security Act.

This will provide notice to commercial lenders that an individual has a support debt. Subject to the priority rules in the Personal Property Security Act, any added borrowing by the support payor will be subject to the Family Responsibility Office's registration and priority. When an asset is sold, child support will have priority over subsequent registered and unregistered interests.

1530

Amendments to the Creditors' Relief Act, which are in section 66 of the bill, give priority to all support arrears over other judgement creditors. This means that when a sheriff takes steps to collect on the support payor's judgement debts, support arrears will be paid even if there are other judgement creditors.

The current legislative mandate for the family support plan contains loopholes that let defaulting payors avoid paying support by sheltering their assets and income with the help of third parties. Through third-party enforcement in section 41 of the bill, the Family Responsibility Office will be in a position to ask the court to order production of financial statements from third parties, add third parties to a default hearing and make orders against people who help defaulting payors to shelter their assets and income to avoid support orders.

There are protections for innocent third parties. Third parties will be added to a default hearing or be required to file a financial statement only if the court is satisfied that it's appropriate to do so — that is, where there is some evidence of the sheltering of assets or income. Any order for payment that is made against a third party will be limited to the actual amount of the sheltering of income or assets and only when there is a finding by the court that the assets were sheltered. Further, financial

information that third parties file will only be used for the court process, including enforcement of any order made, and will be sealed by the court in order to protect confidentiality.

Another loophole allowed payors to shelter funds in joint bank accounts with other parties. The old family support plan was not able to garnish these accounts. Under section 45 of the new legislation, the Family Responsibility Office will have the authority to garnish up to 50% of the money in a joint bank account. Again, we have included provisions to protect innocent third parties.

Another tough new enforcement measure covered in section 46 of the bill involves the seizure of lottery winnings over \$1,000. A defaulting payor should not be able to benefit from a windfall while his or her support obligations go unpaid. If a defaulting payor wins more than \$1,000 in a provincial lottery, the Ontario Lottery Corp will deduct any support payment arrears from the winnings. It will then pay the deducted amount to the director of the Family Responsibility Office.

Under section 1 of Bill 82, we are expanding the definition of income to close another loophole. The old definition of income was too narrow. This loophole made it possible for some payors to avoid their support obligations. Income under the new act will include advances, severances and lump sum payments. This will improve the enforcement of support order payments by intermittently employed payors and payors who have non-standard payment arrangements with their employers.

Section 54 of the bill gives the Family Responsibility Office much better methods to trace and locate defaulting parents. Clause 54(1)(b) permits the Family Responsibility Office to have access to provincial government records to search for information about a payor for the purposes of support enforcement. We have made amendments to focus record access on what's really important for the Family Responsibility Office — finding the payor and their assets and income.

Bill 82 makes it clear how unacceptable our government finds the non-payment of support obligations. To further emphasize this, we will screen all provincial government appointments to exclude people who fail to pay their child support. While this does not require legislation, I believe it reflects our commitment to ensure that women and children in this province get the money that they rightfully deserve and that they are legally entitled to receive.

The second critical building block in Bill 82 is automatic filing with voluntary opting out. Responsible parties who are fully meeting their support order obligations do not need government supervision in their personal business. Where both parties agree, section 16 allows them to opt out of the government-run plan. Let me restate that our government is very aware of the potential for a vulnerable spouse to be subjected to coercion or abuse or who, for a variety of reasons, may be in an unequal bargaining relationship.

To protect women in those situations, subsection 9(2) of the bill will give judges the authority to prohibit spouses from opting out of the family responsibility program where they find it appropriate to do so. It gives

a judge the authority to stipulate that a support order can never be withdrawn from the program by the spouse.

Voluntary opting out of the program is not an irreversible decision. Recipients and payors who have opted out will be able to return to the family responsibility program at any time.

Some presenters to the standing committee raised concerns about the potential impact of section 7. Section 7 gives the director of the Family Responsibility Office the authority to close cases. It codifies what have been the family support plan's existing policies and procedures for refusing to enforce a support order and the related support deduction order in cases where enforcement is unreasonable or impractical.

As was indicated by the Attorney General when he spoke to the committee last week, it was never his intent that section 7 would provide a way to get rid of hard to enforce cases from the mandate of the Family Responsibility Office. To make this abundantly clear, he has made two amendments to section 7. The first amendment deletes clause 7(1)(d) of Bill 82. This removes long-standing arrears as a criterion for closing cases. The second amendment is to clause 7(1)(f). It removes the criterion that permitted a case to be closed because the payor could not be found.

These changes are to clarify that the government's initiative is designed to find payors no matter how old the arrears and wherever the payor goes. The director of the Family Responsibility Office will continue to have the discretion to close cases. Guidelines will be put in place setting out the specific circumstances where cases can be closed.

The director of the Family Responsibility Office will be accountable to the Attorney General for the manner in which he or she fulfils his or her statutory obligations and remains subject to review by the Ombudsman as to the manner in which the program operates.

Giving the new Family Responsibility Office the legislative mandate to close certain cases based on strict criteria will let it focus its resources and expertise on difficult cases, where the program's intervention can make a real difference. However, as I've stated previously, the decision to close a case will not be made easily or in haste. The Family Responsibility Office will only close a case after exhaustive efforts have been made to enforce a support order and the related support deduction order over a period of time.

Section 4 of Bill 82 contains the third building block for a new program. It gives the Family Responsibility Office the authority to enter into private sector partnerships. In the Common Sense Revolution we made a commitment to review all core businesses and enter into partnerships with the private sector where it can provide services more effectively and efficiently. This could include drawing on private sector expertise to collect support payment arrears.

The members of this House and presenters to the committee told us they were concerned that recipients might have to pay the cost of having a private sector company collect arrears. Again, it was never the intent that recipients should pay to get money that is rightfully and legally theirs. The Attorney General has therefore

amended section 4 to specify that the defaulting payor, not the recipient, pays any costs to collect arrears. If any payor wants to avoid this extra cost, the answer is simple: Pay your support and pay it on time.

By the end of January we will begin the implementation of our key enforcement tools, starting with the driver's licence suspension, reporting delinquent payors to credit bureaus and putting processes in place to screen all provincial government and judicial appointments. We will also begin a staged implementation of voluntary opting out. By the summer of 1997 all our tough new enforcement tools will be in place.

1540

We are also continuing to move swiftly to complete the re-engineering and redesign of the plan's work processes. In January our new customer service call centre will be fully operational. This means our client service associates will be handling all of the incoming clients' needs by telephone. This will go a long way towards resolving the chronic access problems that plagued the old family support plan for many years. Under the old plan there were 50,000 calls a day, and only 6% got through. Already, about 50% of the calls are being answered.

Next month we will also complete testing with income sources of electronic commerce hardware and software with the goal of achieving faster and more accurate transferral of funds from payors to the program and ultimately to the recipients.

Throughout the transformation to the new program, our number one priority will be to continue to be processing payments and acting on hot tips. A hot tip is information received by the program that could help collect money the defaulting payor owes his family. It could include a defaulting payor's address, place of employment, bank accounts, property or other income sources. Again, our goal is to get money flowing to families, to get them the money they rightfully deserve and are legally entitled to receive.

We are transferring more money to more families more quickly than before. All cheques are processed within 24 to 36 hours of receipt. Under the old plan this could take up to one week. We are processing more than 5,000 transactions per day, a 25% increase.

Bill 82 fulfils the commitment that our government made in the Common Sense Revolution to crack down on defaulting payors and to enforce support order payments. Not paying support order obligations is no longer acceptable in the province of Ontario.

I am pleased to table Bill 82 for third reading.

The Acting Speaker (Mr Bert Johnson): Further debate? The Chair recognizes the member for Downsview.

Ms Annamarie Castrilli (Downsview): Mr Speaker, I seek unanimous consent to share my time with the member for St Catharines.

The Acting Speaker: Is there unanimous consent to share the time with the member for St Catharines?

Interjections.

Ms Castrilli: You wouldn't deny him that, would you?

The Acting Speaker: It is agreed.

Ms Castrilli: Thank you very much.

In a just and fair society, no child would ever go hungry. In a just and fair society in Canada, no woman would be forced to consider how she is to provide her children with the necessities of life, let alone presents so close to Christmas.

Yesterday the United Nations released a report which indicated that child poverty is reaching epidemic proportions in the world. Canada does not escape from that. In fact, more and more Canadian children are being forced to find work in order to be able to contribute to the family income simply to get through.

What this bill really is about is not the fancy title that it has been given, but it's a fact that it should be dealing with the real issue, which is child and female poverty. In a democratic society that believes in fairness and justice, that ought to be our first priority.

Let me say that this particular bill does address some important issues. Let me say that we are in agreement with the government that the family support services plan required an overhaul. Let me also say that there are some provisions in the bill which are worthy of support. We particularly applaud the expansion of the definition of "income source" to include such new categories as lump-sum disability, pensions, workers' compensation, commissions, bonuses, annuities, dividends and income tax refunds. That will allow a more accurate assessment of income in order to be able to determine the basis upon which payments should be made.

Let me also say that the bill acknowledges that there are parents who take their financial commitments seriously. It allows payors and recipients to agree to opt out of enforcement by the Family Responsibility Office and to enforce the support orders themselves. While we agree that it is absolutely essential to reduce the case work wherever possible, there's a real concern with this step because it creates the possibility that one partner may coerce another rather than deal with the government system. Women who depend on their spouses are in no position to bargain. We caution the government again, as I did on a previous reading of this bill, that it must act to ensure, and it is indeed its responsibility to ensure, that women and children are not victimized once again by the system.

We would have preferred a plan where payors in good standing would have been removed only after having been in good standing for a defined period of time. We still believe this is the smart way to go. The decision should not be at the discretion of the parties. Instead, it should depend on the payor being in good standing for a required length of time, and that determination should be made by the plan administrators. Any default on the part of an opted-out payor would automatically trigger reinstatement into the plan by the plan administrators.

We endorse those new enforcement measures that were outlined by the minister in July. Stakeholders demanded action in this area from the previous government but didn't get very far. We support the suspension of the driver's licence of defaulters. We support the reporting of defaulters to credit rating bureaus. We support the garnishing of joint bank accounts up to 50% if one of the holders of the account is a defaulting payor. We support the ordering of third parties who have a financial relation-

ship with a defaulter to provide financial statements, and allowing orders to be made against such parties if they were involved in sheltering the payor's assets or income from enforcement of the support order.

We also support the registering of support orders as security interests under the Personal Property Security Act, allowing for the seizure of personal property upon default, and the intercepting of lottery winnings of \$1,000 or more and requiring support arrears to be paid from them before the winnings are distributed to defaulters. We support as well giving support orders priority over judgement debts.

But all of this does not go very far to address the issue which I first mentioned, which is the poverty of children and women at this time. This bill doesn't take very seriously the enormous problems the family support payment plan has in fact encountered for a long time, particularly under the jurisdiction of this government. What we need first and foremost of course in order to deal with the issue of child and female poverty is a prospering economy, an economy with jobs, an economy where parents can pay and fulfil their financial obligations. The inability or refusal to pay we know has devastating impacts on children, and there should always be zero tolerance of that.

All the government's plans have in fact worked against that sector of society. The so-called promise of 725,000 jobs really hasn't materialized and it hasn't affected a very significant —

Mr E.J. Douglas Rollins (Quinte): Only one year.

Ms Castrilli: Well, divide it by four, sir. You still haven't met the promise. There are more people unemployed now than there were when you took office, and that is a statistic.

The government's promise of a tax break has absolutely no effect on people who have a limited income, and certainly makes no dent at all in the lives of people who are forced to fight every day just to survive. We need to pursue means of improving the system and strengthening the enforcement mechanism, yes — this government has chosen to ignore the most simple and obvious improvements — instead of ramrodding massive structural changes down the throats of Ontarians without adequate planning, without adequate preparation.

I will remind everyone here of the growing problems we've had since this government took power: computer deficiencies. That's the least of it. The fact is there will not be an effective computer system in place until next year sometime; as late as June 1997 is the latest projection.

1550

We've seen bureaucratic delays of women who have not been able to access funds that were paid into the plan by their husbands. There's \$1 billion sitting in the Royal Bank of Canada, and we have yet to determine where the interest from that money will go.

There's been a massive caseload which has been ignored as the government has shut down offices without having any kind of plan in mind as to what it would do in the interim and following the shutdown.

We have a system that quite frankly has been thrown into chaos. The problems we've documented in this

House over and over again: boxed files which prevent access, cheque delays, files lost, parents and children suffering, tender for computer and information systems that have just been completed now and won't be fully operational for another six months.

Let's talk about some of the real problems with the plan. We can start with the Attorney General himself, who stated in this House on October 2, 1996: "With a caseload of approximately 148,000 cases and an average of 1,400 new cases every month, the family support plan is ill equipped to handle its caseload. The plan receives up to 50,000 calls a day to its offices. Of these calls, only 6% of the callers actually get through." Now, of course, more get through, but they get through to a machine that tells them to call back. "Almost 8,000 letters arrive daily, most of which are complaints from clients about the lack of telephone service."

One would think, in the light of the Attorney General's own assessment of the situation, that surely if you were going to enter into a new arrangement, into a new system, into a more equitable system, you would've had a plan in mind before you started to close offices. Surely one would have thought that you might have listened to the very people who work in that area, the very people who went so far as to provide some suggestions as to what you might do.

We have, for instance, no less than the Ottawa family support plan indicating the very real serious problems in their area, who ask, for instance, how, when the only access will be via a toll-free telephone number, can the present system work better than the eight regional systems that we now have?

There have been suggestions sent to the Ministry of the Attorney General from a number of caregivers in that particular area and workers in that area which in fact even set out some savings initiatives and proposals: to reduce salaries, for instance, by 20%; to do a detailed review of how you do business; to keep the FSP regional offices decentralized, which is important to women who cannot access a system otherwise; to improve client services; to meet 35% cost reduction over the next two fiscal years; to maintain 35% cost reduction, with additional savings from the business review and the coming of Phoenix and EDI, which will reduce the number of staff; to implement immediate and short-term cost-saving measures where the need has been identified and requested for years; and to reassess the savings on an ongoing basis. A very long, detailed plan put forward by the family support services plan of Ottawa, which was totally ignored.

This, by the way, sir, was dated March 5, 1996, long before the government began to think of even its computer tender, which it only sent out last week. Those who are in the field and who could point out the problems and made suggestions for change went ignored. Those, of course, who suffer are the women and children themselves.

I'd like you to listen to a few of the stories to get the flavour of what is going on out there. Remember, 148,000 cases. I only have but a half-dozen here, but these are reflective of so many thousands more who are in difficulty.

Yesterday, for instance, my colleague from Prescott-Russell brought to the attention of the House the plight of Jacynthe Leroux. Here's the story of a woman who has children and for the last six months has been paying child support for a child of whom she has custody. She has gone so far as to go to court, after having tried unsuccessfully to reach the Attorney General's hotline and not being able to get through to anyone, having gone down in person and having delivered the agreement between her and her husband that would allow her not to pay the support. She decided at long last she could stand it no longer, so she went to court. She got a court order against the Attorney General, which I have right here. Do you know? The court agreed with her. She had custody of her son. Why should her wages be garnished and paid over to her husband who didn't have custody of the child?

Having a court order, one would say, would have made matters easier. Guess what? Absolutely nothing happened. That court order has been presented three times to the family support plan and ignored three times. You can imagine the frustration of a mother, with Christmas approaching, when she asks: "What do I do? Three weeks away, what do I tell my son? I can't even pay my rent," which by the way was due last Sunday. This is with a court order.

There's the story of Carolyn Ioannoni, who writes that it took her well over a month to get through to the family support plan and actually speak to a person, and even though she managed to get a person, the results were futile. To make matters worse, her husband was receiving notices from the family support plan stating that he was in arrears, although he was making payments into the plan. His wages were automatically garnished, she was receiving nothing, and she could not get through to the plan to sort this out.

This is not an isolated incident. This happens all the time. These are people who are suffering and are asking for our help, and quite frankly it is up to us to make sure that help is there.

Speaker, I notice that we don't have a quorum.

The Acting Speaker: Would you check for a quorum, please.

Acting Clerk Assistant (Ms Donna Bryce): Speaker, a quorum is not present.

The Acting Speaker ordered the bells rung.

Acting Clerk Assistant: Speaker, a quorum is now present.

The Acting Speaker: The Chair recognizes the member for Downsview.

Ms Castrilli: There's the case of Mrs Cynthia Italiano who is owed \$1,900 in arrears and yet again she's not been able to speak to the Ministry of the Attorney General staff. The cheque for \$900 that her husband has paid into the plan has been cashed, it just hasn't arrived to the children who need it. She writes:

"I do not mind telling you that because of the delay in payment I've been finding it increasingly difficult to manage. I am not financially able to support my family without such payments. Risking sounding very hostile, I thought that support payments going through the government were supposed to support the mother and her children."

I think she has a point. In fact we all thought that was the case, that they were supposed to support the mother and the children, not remain in some account that nobody can touch and not being handled by individuals who do not answer the phone. So here we are with a system that in fact is not taking its responsibilities seriously with respect to the women and children who need its help the most.

1600

There have been several amendments that have been suggested. My party made what we believed to be reasonable and essential amendments but the government rejected all the amendments outright.

The member for Dufferin-Peel alluded to section 7, which gives a director discretion to refuse to enforce support or support deduction orders under certain circumstances. We believe there has to be some form of safeguard with such widespread discretionary powers. For example, we proposed requiring the director to give the recipient at least 60 days' written notice of his or her refusal to enforce the order. Such a notice would inform the recipient of their right, within 30 days, to apply to the Ontario Court (General Division) for an order to set aside the director's decision. Furthermore, the recipient would be informed of the right to require the director to obtain a legal aid certificate under the Legal Aid Act on behalf of the recipient.

There is also clearly a need for the Family Responsibility Office to provide legal advice to recipients to assist with understanding the process and pursuing their rights. We must ensure that we do not further burden parents and children with the financial cost of protecting rights, as one individual had to do. Jacynthe Leroux, with her very limited means, had to go to court, and I would remind you that legal aid does not pay in family issues. With very limited means, asking women to have to resort to court to insist on their rights is extraordinary. To insist that women in that situation should even have to consider those remedies is extraordinary.

The bill acknowledges the fact that there are parents who take their financial commitments seriously, and I think that's applaudable. It does allow payors and recipients to agree to opt out of enforcement by the Family Responsibility Office, to enforce the support orders themselves. We agree it's important to reduce the caseload as much as possible. We agree there must be competent people as well to look after those cases. We continue to have concerns about the power of coercion that the individual with money would have over the weaker partner, most often the woman, and whether the responsibilities to children would be discharged equitably. We caution the government once again: Do not victimize again women and children who are already victimized by domestic situations from which they are trying to rebuild.

The amendments we recently made to this bill, which were rejected by the government, would not allow support and related support deduction order withdrawals unless the director had made reasonable inquiries and was satisfied that the recipient did not sign the notice under duress or coercion exercised by the payor. Furthermore, the director would have to be satisfied that the recipient has received legal counsel before signing the notice, and

if not, has provided the recipient with independent legal counsel paid for by the Family Responsibility Office.

This is important because it is a responsibility to ensure that whatever agreement is signed is signed freely, without duress, and it is important because women in this situation do not have the funds to access lawyers readily. It is the government's responsibility to ensure the protection of these women and children.

But if the government could not accept this, we also proposed a refined amendment that simply prevented orders from being withdrawn if there have been at any time in the relationship of the payor and the recipient incidents or allegations of threats or mental or physical abuse by the payor to the recipient. One would have thought that would have been a very simple compromise for the government to accept. Why should we not put into the legislation an amendment that protects women in situations where there are very real dangers of abuse, whether mental or physical? The rationale of the government denying that section just baffles the mind and certainly does not do a service to the women and children who are affected by this legislation.

We also proposed that if such an order is withdrawn, the director should monitor the payments made by the payor for a period of at least 12 months after the withdrawal, and if the payor is in default under the support order during that period, the director should commence enforcing the order as if the withdrawal had not occurred. Again a very reasonable amendment: monitoring for 12 months to make sure there was no coercion, there was no duress, and there was stable funding provided to these women and children for the necessities of life. Again, the government rejected that amendment.

Here we have a system where we know there is a problem. We know there is chaos. We know there are children and women suffering. We know the likelihood of them finding employment and being able to thrive is limited in this employment market. We know that 97% of parents ordered to pay child support in Canada are fathers. We know that about 76% of support orders are in arrears. We know that Ontario fathers currently owe about \$1 billion, which grows by millions of dollars every year. We know it costs the province approximately \$300 million per annum in social assistance payments to families who are not receiving the support payments to which they're entitled by law. We know we have a system currently in place that is gummed up, that is fouled up and that is providing no access and very little benefits to the women and children who need it most.

Bill 82 is less an endeavour to protect and enhance the interests of children and spouses as it is a cost-cutting initiative by a desperate government determined to find the cash to pay for its tax cut.

There is no question that the minister has mishandled the restructuring of the family support plan with such proficiency that he has become desperate to deflect criticism. This bill attempts to do just that by providing the appearance that the so-called reorganization is well-thought-out, controlled and, yes, even righteous. It's an attempt to divert the attention of the members of the House and the public from the very real problems that are experienced within the family support plan, problems

created directly by the government's rapid move to downsize, decentralize and consolidate the plan without any thought. It's "Cut first, plan later." That simply doesn't work when you have very vulnerable people involved, nor should we tolerate it. It is an attempt to divert attention from the very real harm that is being inflicted on women and children by the delays caused by a system that has been ill-conceived and rushed.

There's no question that this appears on the surface as an attack on women and children. A generous person might say, "Well, this attack is not intentional," but it is nevertheless real. All of our offices have been swamped with cases of women and children who are desperate to find an answer. As we get closer to Christmas, it becomes even more desperate. There isn't a single member in this House who hasn't been approached, I wager, by women and children who are facing exactly the same situations of the women whom I indicated a little while ago.

1610

The minister is trying to convince us that this restructuring is going to eliminate waste, save money and improve efficiency, but we have seen in this House day after day, with all of the examples that we have been given, that the family support plan dismantlement project is proving to be a political and financial disaster. All it does is show us how to ram through ideologically driven policies without thinking of the consequences for the people this plan is supposed to be serving.

Even the staff at the office of the public guardian and trustee has written to the minister to say that this is not acceptable, that this is a shame on the government, that shutting down the family support plan so quickly is unconscionable. They write: "Where are all our tax dollars going? The government closes the family support plan offices, which were generating income that went back into the government treasury, sends the surplus employees away, realizes there's a backlog and hires an outside agency to tackle the backlog. What happens when the new proposed plan doesn't work? They spend our tax dollars to decentralize again. The government is playing games with our lives."

I think we could find no more damning comment than by some of the people who are most involved in this issue, the office of the public trustee.

Let me just mention a few of the problems that we have been experiencing in our office, and I am sure we are not unique in any way. Women have told us of delays that have gone on for six weeks or longer in sending out cheques to mothers and children. When you are living day to day, six weeks or longer is an interminable amount of time. When children now are being forced to go to school and pay for supplies and there is no money in the kitty to pay for those supplies, there's a domino effect to the inaction of the government in this particular case.

We've seen a huge computer glitch which has resulted in the delay of thousands of cheques. We've seen desperate parents who have become frustrated with futile attempts at getting through to the family support plan on overloaded telephone lines, and if they do get through, it's simply to another machine. We know there is inadequate staffing to answer questions or resolve problems,

if and when they finally get through. The results of the office closures and delays in service is chaos for the system and reduced support for a quarter of a million children. Bear those figures in mind. This is not a small segment of the population. Two hundred and fifty thousand children depend on this system working well.

Recently my colleague from Cornwall rose in this House to explain how one of his constituents, Sarah Lenneau, had been waiting for months for the family support plan to update her support payments through garnishing her ex-husband's salary. Ms Lenneau and her ex-husband wanted to enter into a direct payment agreement, but the family support plan discouraged this. So instead of being able to pay her bills, her account now stands at \$1,800 and rising. To add insult to injury, she has now been told that she will not be able to receive any additional information or have her payments corrected until at least December, since the family support plan is in the process of moving offices and files are inaccessible. The tragedy goes on.

These problems impact directly on family incomes and their ability to purchase food and clothing and to keep a roof over their heads. There are simply no excuses for bureaucratic delays that prevent parents from receiving the money that has already been collected on their behalf by the FSP.

The minister also skated on thin ice when he argued the cost-effectiveness of his plan. We know there are hidden costs of restructuring. We know there are over-time payments to outside contract staff, many of whom aren't even bonded for confidential work, and of course the use of the Royal Bank, hired to administer the transference of cheques.

We know that at least \$1.5 million was required to cover the cancellation of regional office lease agreements, \$1.5 million that could have gone directly into the hands of women and children. We know there are extensive renovations under way at the new central area which will cost close to \$1 million, not including the costs of moving which have already been incurred by the government — again money that could have gone directly into the hands of women and children.

The cost of having non-bonded ministerial staff conducting confidential case work again is a cost that takes money away from women and children. We still have a transitional plan that has not seen an office which is fully operational, and it's not likely to be for some time.

What will women and children do in the meantime? Passing this piece of legislation does not change the reality that they're going to be facing some very difficult times.

Members of the House obviously know that the family support plan had posted some modest successes. For instance, in fiscal year 1995-96, the family support plan returned approximately \$49.8 million to the treasury of Ontario as recovery of support arrears paid out in welfare or family benefit payments. It cost approximately \$23 million to run the program. That means a net return of more than \$26 million, something which obviously was ignored as one started to dismantle this project. You have to ask, why the urgency of overhauling a profitable

program? Why make such hasty decisions that have caused even more problems than there were before? Why fire existing knowledgeable staff to help women and children achieve and get what is owed to them?

I guess an equally troubling question is, what about public service in our community and community-based solutions? Wasn't this the government that believed in community-based solutions? What happened? What about face-to-face contact and its importance in resolving human trauma?

The Attorney General's family support plan 1996-97 business plan stated that many of FSP's existing regional offices were located in small, closely knit communities that deeply depend on government as a provider of support services and employment. The family support plan's new business approach, coupled with other government approaches, will result in some very difficult times for these small communities. Accordingly, a carefully planned government communications strategy should be taken. The plan acknowledges that there is going to be a very real negative impact of these changes. This was acknowledged by the staff at the office of the public guardian and trustee, and yet it's unbelievable that this government would first lay off staff, close offices and then seek solutions. But it seems this government knows no other method of approaching the business of the province. You slash first and ask questions later.

There are plenty of examples of that. We've seen it in education: Chop budgets and hope that they won't affect classroom funding; chop funds to colleges and universities and then release a discussion paper to reform universities, and by the way, since you can't make up the difference, hike tuition 20%.

The same is going on in the health sector: Close hospitals and then determine if you've closed the right ones, or if you should have closed them at all. It's not important to consult local communities. It's all done centrally by the Minister of Health.

1620

One has to ask, what is there to discuss after the funding cutbacks have already impacted on the manner in which these institutions deliver services, and the quality of education our students will receive, and the quality of health that our population gets? There's a woman currently in my riding who is in urgent need of cardiac care. She has been at the top of the list for surgery for over three weeks. Her condition is operable and she cannot get an operation. What happens if that woman dies in the interim? This is a backward, undemocratic approach to governing which puts no value on planning, no value on consultation.

The minister in this House has acknowledged problems with the transition, yet he has assured us that his ministry has moved "quickly and decisively to correct them." Despite these assurances, problems continue to exist. The new 1-800 service that the minister tells us will replace adequately the regional offices and deal effectively with public inquiries is so heavily inundated with calls that people are finding it virtually impossible to get through.

I wonder why the minister has stood by and allowed such chaos in the family support plan. The system has now deteriorated to such a point that his political office

has had to resort to dealing with the problems. This seems to be a very costly method of reforming the system. It only provides minimal relief for individual cases. Clients cannot even obtain copies of their personal files, as is their right under the Ontario freedom of information legislation, because thousands of irretrievable personal records, previously housed in regional offices, are being haphazardly shipped and stockpiled at the new location. Clients are being told they will not be able to access their files perhaps for as much as six months because the boxes are not unpacked because they still don't have the computer technology they need.

If this government is not prepared to provide the family support plan with the resources needed to deliver its services to its clients, how can we be assured that it will provide the resources needed to enforce the new regulations? This could be the finest bill in the world, but if the government cannot enforce it, it is useless and will do nothing for people who are, every day, struggling to get by.

Bill 82 is a start. Bill 82 acknowledges that there are problems and tries to put in some enforcement mechanisms, but the government must do more than that. It must clean up its own act. It must make sure that the office of the family support plan works, that it is accessible, that it's fair, that it gives money out in a timely fashion. It's no good to give a woman \$12,000 in arrears if she has to be evicted from her apartment in the meantime because she hasn't had the money to pay the rent. It's no good to give a family a lump sum payment after Christmas, knowing that the children of that family will have a very bleak Christmas indeed.

I'm sure that everyone in this Legislature wants to assure that women and children are not victimized. It is up to us to develop the best possible legislation to protect their rights and to provide them with the necessities of life. I know we all believe this to be our duty as legislators. I cannot imagine otherwise. So I urge everyone here to ensure that we have solid legislation, but more important, the kinds of enforcement mechanisms that will see that women and children receive the payments that they require, particularly in those cases where we know the payments have been made; they've been garnished.

We should all insist on a system that is fair and accessible. The delays, the bungling, the tragedy that has been caused day after day at the new central location of the family support services plan is intolerable and should not be tolerated by any of us.

Our challenge and our promise to the women and children of this province is to give them a system that's fair, a system that's equitable, a system that will respect their dignity and will provide them with real opportunities.

Mr James J. Bradley (St Catharines): I appreciate the opportunity to continue the remarks of the Liberal Party on this piece of legislation, and I want to compliment the member for Downsview on her overview of the circumstances facing those who need to access the family responsibility and support arrears office in this province. She has outlined the dire consequences that have faced and continue to face many children in this province and the mothers of these children, or the spouse who has

responsibility for these children, and that's largely the mothers in this particular case, because we have had a botched circumstance that exists with the support and custody office.

If we were to log the telephone calls coming into constituency offices and try to determine which issues would be of most consequence on a personal basis to people, that is, what problems they are confronting with a government office, I think you would find in the fall months of this year, the months of September, October, November and December, the support and custody office problems represent the greatest number of telephone calls.

What is interesting is, whereas previously most of the calls were from the spouse who was supposed to receive money, calls to complain about not receiving that money, today the calls are coming from both sides, that is, the person responsible for sending the money for the support of the children and the spouse who is to receive it and distribute it by providing for those children. So even in cases where there are perhaps warring spouses — if I can use that terminology; it's probably an overstatement — but at least quarrelling spouses, we have the government bringing them together on one issue, and that is their concern about the support and custody office and the chaos which has ensued for some period of time in that office.

What we are hearing now is that one spouse, usually the man, is having money deducted at source, from a salary or a wage being paid. It goes through the support and custody office and it's supposed to reach the other spouse. That is not happening in many cases. There are still a number of cases where one spouse who is legitimately supposed to receive funding for looking after the children is not receiving it and there is indeed a quarrel, so we have both of those circumstances.

A third individual who would want to access that office would be a paying spouse who believes there is something wrong with the allocation that has been assigned to that person in terms of a garnishee.

So we must have an office that can be accessed by those who are directly involved in support and custody situations and support payments. Unfortunately, in its great desire to slash even more expenditures for the government, the government has moved too quickly and too drastically to a new mode of operation. We used to have regional offices. They were not perfect, but they tried to provide some assistance to people. People could actually visit them. They felt closer dealing with the regional office, which dealt geographically with problems in that specific area.

1630

What we had was a situation where, to save money, to eliminate an expenditure, because the Attorney General had his budget slashed by the Premier and the Treasurer, he decided he would move to one central office and deal with what we call a 1-800 telephone number. I don't agree with that move, but if the government had decided it was going to move in that direction, it had, in my view, an obligation to put in effect a new central office which was equipped to handle the problems. The transition from regional offices to one central office has been a disaster. Most fairminded people would concede that. Only those

looking for seats in the cabinet are those today who would be defending that position. I think others quietly would say it has not been a roaring success.

That is the approach the government takes to so many of its problems today, so many of the issues confronting it; that is, the government moves very rapidly and very drastically and does not assess the consequences of those actions. That is not true conservatism, because a true Conservative tends to be cautious, tends to be careful. The present Conservatives, the Reform-a-Tories, as some people refer to them, are eager simply to move the bulldozer full speed ahead and pick up the pieces later. As somebody described it, it was like an automobile mechanic taking the vehicle apart quickly and then not knowing how to reassemble it to have it work effectively and efficiently. That's what's happened in the case of the family support office.

There are a couple of personal cases that have come from Prescott and Russell. They are people who contacted the office of Jean-Marc Lalonde. I know that they have given permission to use their names; I'll make a choice not to, by saying a woman — I'll call her Mme A — is receiving a \$750-a-month payment when she should be receiving \$1,200 a month. She is requesting a deduction from the employer and 50% garnishment for arrears. At the family support office, the office of the member for Prescott and Russell is told that a federal garnishment request has been issued on three separate occasions and there's been no response. They were told by the family support office that they will make the request once more with the federal government. Mme A's ex-spouse is employed by that government. There's a situation that exists within the plan. I don't want to point fingers at a specific person responsible for that, but that's a real case.

There's another person, a Mrs B, I'll call her. She received monthly payments of \$350 from Sun Life. It's a disability. There is proof that Sun Life has made the payments, but Mrs B did not receive any payments from October 1995 until March 1996. When the office of Jean-Marc Lalonde called the family support office, they were told that Mrs B had requested to be withdrawn from family support on October 4, 1996. This is true, but she still wants the money that is in the province's possession at this time.

There are literally thousands of these cases out there that are causing hardship for individuals in our province. While there are many people who are wealthy enough or have enough savings to cope with some of these circumstances, there are far more who live on a week-to-week basis, who are reliant upon the family support cheque from the ex-spouse to be able to provide for the necessities for the children and the family.

In this obsession to have a tax cut, which largely benefits the richest people in our society — I had figures on my desk earlier today which indicated what the bank presidents would be getting, what five bank presidents would get, and what the seven best-paid CEOs would get in Ontario in a tax break, and it was substantial.

Interjection.

Mr Bradley: The member from Rexdale says it's substantial for him as well. I wonder about that. I say, why don't we leave that money in the system, and why

don't we ensure that we have quality services in this province? That's what we've been proud of in the past. That's what Premier Davis used to say. On so many occasions, he would say we had the finest health care system in the province. Yet today in St Catharines, the local hospital restructuring commission, under threat, I believe, of more drastic action by the Ontario hospital closing commission, or restructuring commission — I call it closing commission — has indicated that Hotel Dieu Hospital in St Catharines might be closed and, as hospitals, the Port Colborne General Hospital and the Niagara-on-the-Lake General Hospital may no longer exist. This, despite the fact that the Premier, in the all-party debate during the election of 1995, said he had no plans to close hospitals in this province.

When I asked him the question in the House today, he used what we used to call in the old days "weasel words" to get around it. I don't know another term. I'd like to find a different term. The other Speaker told me I couldn't even say that the Premier was not providing accurate information; that's the best way, perhaps, I can put it. That wasn't an interpretation that most people would have had of the Premier's comments when he made them.

Mr Tilson: Very close.

Mr Bradley: I was very careful. The member for Dufferin-Peel tries to defend the Premier. I know there's an opening in the cabinet, and he's probably a good candidate for it. I will report to the Premier that he has come to his defence. I will certainly do that.

I was talking to Colin Vaughan in the hallway, and he apparently had a confrontation with the Minister of Municipal Affairs and Housing, who is taking his seat in the House today, and was quite put out by the fact that the Minister of Municipal Affairs turned around after Mr Vaughan asked him a question. I wasn't there to see all this, but apparently there was quite a scene in the hallway. Maybe the minister later on will be able to talk about that.

Looking at this bill, as I have, in the context of why the government was changing from regional offices to a central office, it thought it could save a lot of money. We had two members of the Legislature who went to visit the office. They took a camera with them.

Mr David Christopherson (Hamilton Centre): They were New Democrats, weren't they?

Mr Bradley: They were New Democrats in this case: my friend the member for Sudbury East and my friend the member for Welland-Thorold. I initially heard a horrifying report. I thought they were both in trouble, because I heard that they had broken into this office in the middle of the night and assaulted a guard of some kind, a security guard, and were rifling through the files. I thought, "What has come across the mind of the member for Sudbury East and the member for Welland-Thorold?" Then I find out later on they were simply in there with a camera to take photographs of all these boxes of files lying around the office. This is what I've been told, and I can only go on information that I've heard.

The Attorney General certainly gave an indication in the House that charges were going to be laid and so on,

and here I found out that it was simply taking photographs of the boxes. I'd wondered where they'd gone, because some of them might have been from the Hamilton office. Heaven knows when we call the family support office the employees are under great duress there trying their very best to serve the people of this province, scrambling to do so; they would know that they're unable to cope with this influx of boxes full of files.

I was relieved to know that apparently it wasn't this dastardly act which had taken place, that my two friends the members for Sudbury East and Welland-Thorold in fact had taken some photographs. I found those very instructive and I was happy to see those on television so I could see what was actually happening.

1640

It happened, as I say, because this government is obsessed with the tax cut. It must give this tax cut. It doesn't even have the money to give it. It has to borrow the money, \$5 billion a year.

I read into the record the other day for my friends on the other side a report from the Dominion Bond Rating Service, hardly a bastion of socialists and ultra-Liberals, certainly known as a small-c conservative operation. They said, "You know what's going to happen? Any growth we see in the economy is going to be almost all absorbed by the government having to borrow money for a tax break." They said \$4.8 billion, so they were a little under what I said. They estimate about \$4.8 billion a year.

I know my friend the member for Perth is a small-c conservative as well as a big-c Conservative, and I know he must wonder in his heart of hearts how the government is going to borrow money to give a tax cut. That's like getting out a credit card — and I have a credit card or two — going to the machine and getting money out of the machine, borrowing it, and having to pay interest on it so they can give a tax cut to somebody. That doesn't make any sense.

So they're scrambling in that direction, but secondly, they are taking money out of essential services such as the family support office to be able to pay for a tax cut which benefits the very richest people in our society by the greatest amount of money. That's happening throughout the system.

The people who are trying to access the family support office used to be able to receive some help from local legal offices, legal assistance offices. Sometimes the people involved in these situations were able to access a lawyer through the legal aid plan. But with drastic cuts in these opportunities — to finance the tax cut, I might add — here they are not able to access those services. So they come to the MPP. They're going to have fewer MPPs after the next election to access, and fewer government offices, so that will cause them even greater delays with greater consequences for some of the most vulnerable people in our society.

For some of the people who are involved in this, perhaps the breakup has taken place because of a gambling addiction. Maybe one of the partners plays video lottery terminals that we're going to find very soon in every bar and every restaurant on every street in every neighbourhood in Ontario. That might have been why there was a breakup and why the person had to access the

family support office. So if the government wishes to know how it can save money, it would abandon its plans to put these one-armed bandits, these electronic slot machines, in every bar and every restaurant on every street in every neighbourhood in Ontario. That would help. There will be more money then for the support and custody office.

I have had a very large number of calls come to my constituency office. My staff has tried to deal with the staff of the family support office. They've tried to be helpful to us, but they have very limited and stretched resources. And the frustration of people — they call with tears in their eyes sometimes. Sometimes with great anger in their voices they call my office to complain about this, and we have a hard time.

Ms Castrilli: That's 250,000 children.

Mr Bradley: Some 250,000 children, the member for Downsview tells me, have been affected by this, and I see all kinds of examples of the government mindlessly cutting simply to finance this tax cut and because they want to fulfil an ideological objective.

Today I thought we would have our pages with us for another week. I was looking forward to it. They provide excellent service for us. Now I know —

Hon Al Leach (Minister of Municipal Affairs and Housing): They have to go back to school. Do you want to destroy their education?

Mr Bradley: The member for St George-St David tells me that they want to go back to school. I see their heads are nodding the other way, but I don't want to bring them into this argument because it would be unfair. All we pay them is \$10 a day, a very fair wage, they may think, or may not think, but \$10 a day. They get an opportunity to be here. They're educated here too as well. They get to see what goes on in the Legislature. That's an education in itself, all members will admit. There are good pages all over, talking to the members and being of great assistance. I think it would cost about — I calculated \$50 times 20, \$1,000 probably, for them to stay for one more week.

Mr John Hastings (Etobicoke-Rexdale): How much would you be willing to chip in from your cheque?

Mr Bradley: The member for Etobicoke-Rexdale will know, however, that the government is spending \$2,600 a day for its consultants at the same time that it's sending our pages home a week early. I feel badly for the pages because I know they would be delighted to stay in this House and listen to the debates. They want to know about the family support office and the provisions of this bill. I happen to think and I happen to agree with my good friend the member for Dufferin-Peel, the parliamentary assistant, that there are some very good provisions in this bill, and we're supportive of those provisions.

We're sorry they didn't introduce this bill for — how many days was it?

Mrs Marion Boyd (London Centre): Forty-nine days.

Mr Bradley: They took 49 days to call this bill after they first introduced it. We're sorry it took that long. Then they went to certain people in the province and said, "Get some petitions and blame the NDP and blame everybody else, blame the opposition for this bill taking a long time." Yet the government took 49 days to bring

this bill forward for consideration. It would have been passed a long time ago. I would have been happy to accommodate that. But instead, the government drags its feet and then at the end of the session says, "Let's blame the opposition for how long it's taken."

Let me explain to the members of the House, through our friend the Speaker, why it is you did this. You did it because there was chaos in the support and custody office and you knew that if this bill passed and you had to invoke the provisions of this bill, you didn't have the wherewithal to do it. You didn't have the staff, you didn't have the resources, so you waited 49 days. Then you brought people into the gallery and had them write nasty letters to the NDP and to other people in the opposition to say, "Somehow you'd better hurry this through."

I'm not here to defend the NDP. They will defend themselves, I am sure. But I am a fairminded person and I will, from time to time, defend the government when I believe it is right. That's why I say to the parliamentary assistant that there are some good provisions in this bill. We will be supporting this bill because there are good provisions in it and the committee hearings have been beneficial, the committee hearings that we in the opposition insisted upon. They have been beneficial because the government's had the benefit of some of the discussion of that, and hopefully the government has made some modifications, if not to the bill itself, to the regulations that go with the bill as a result of those representations.

I watched the government embark upon these. I would like to have had our members ask more questions about the support and custody office, but they've been preoccupied dealing with the resignation of the Minister of Health whose assistant, Brett James, apparently phoned a Globe and Mail reporter and said: "I've got something on one of your opponents. You know the person who is going to call a press conference to complain about this government? Well, he's got the highest billing amount in the province." I think that assistant used to work in the Premier's office when he was the Leader of the Opposition, didn't he? Somebody help me out with this. Did I not look in the phone book and see his name in the opposition's, the third party's, the Progressive Conservative caucus office? Yes. Okay. Of which the Premier is the boss? Okay. I just wanted to get that right: of which the Premier is the boss. So I know he was relied upon heavily by my friend the Premier on many occasions.

I would like to have had more questions on the support and custody office, as I'm sure the NDP would, because they all had examples, but we've been preoccupied trying to get the government to in the open — in other words, not behind closed doors — have a full inquiry into the potential use of private information to smear a person who is in conflict with the government in terms of his views. That's a dangerous precedent to set.

1650

I don't want to draw direct comparisons; I will simply say that in a general sense we can all remember the coverage of the so-called "dirty tricks" campaigns in the United States back in the Nixon days when they talked about how they smeared people who were opponents of the government. I think that's reprehensible. If you've got good arguments to make, that's the way we debate.

I don't smear my friend the member for Dufferin-Peel. You'll notice that he and I, when we engage in a debate, have respect for one another. We argue about ideas. If his ideas prevail, if the people of this province think his ideas are better than mine, his arguments are more compelling than mine, then so be it. I lose the argument on that basis. But we don't try to smear one another or intimidate one another in debate. That's the way it should be for all governments, because I can tell you it happens to all governments, not just your government. It happens to all governments. They start seeing enemies out there and they start wanting to discredit the enemies. So you have to check that. The cabinet members and other members have to remind senior people in government that that's not why you were elected; you're not for that. We all have to be reminded of that from time to time when we're in a position of power.

I want to say in my concluding remarks this afternoon — and we've had a lot of debate on this. I want to say there's been considerable debate on this particular piece of legislation. I think many of its provisions are going to be helpful to those who have been unable to secure the necessary funding to look after their children; that is, where there's a legitimate order of the court or a legitimate order from the support and custody office. That's for somebody else to determine, whether it's legitimate or legal, but what we want is a situation where when it's found to be needed and it's found to be legal, we have the best mechanism to collect that. I think this bill will go some way to assist in that regard, and for that reason we will be supporting the bill.

The Acting Speaker: Further debate? The Chair recognizes the member for Sudbury East.

Ms Shelley Martel (Sudbury East): I'd ask at the beginning for unanimous consent to split the time between myself and the critic for our party, the member for London Centre.

The Acting Speaker: Is it agreed? It is agreed.

Ms Martel: Thank you. I appreciate the opportunity to participate in the debate this afternoon. I also appreciated very much to be able to be a substitute on the justice committee in order to go through the limited public hearings that were held on this bill and through the clause-by-clause which occurred on Monday of this week.

I must say as I begin my remarks that when we entered into the clause-by-clause debate on Bill 82 on Monday, I had high hopes that the Conservative government was serious when the minister had come before the committee at the beginning of the public hearings and said he was open to amendments, that he was open to change, that he recognized there were serious concerns that had been raised by the opposition parties and would no doubt be raised by any number of presenters who were coming forward and it was the government's intention to listen to some of those concerns and to try to respond.

After having heard from the presenters who were able to come to the public hearings in Toronto and make their presentations — and I want to say as an aside that we very much appreciated the time people took out of their schedules to come, particularly, and I don't want to diminish the participation of other participants, the people who came from Sudbury, the people who came from

Belleville, the people who came from Ottawa and other places outside of Metropolitan Toronto on very short notice in order to say their piece. I think the committee benefited by their personal histories, which were very difficult to give to us. They were very compelling. I would have hoped that after having heard those and having heard some of the serious concerns they raised with particular sections to this bill, we were going to see some movement by the government on those areas.

I must tell members here, particularly the parliamentary assistant, that I left that committee Monday extremely frustrated by the fact that I felt we did not make any significant gains whatsoever in what is a bill that our party had already given agreement to on second reading. I find that very unfortunate because I certainly hoped we would have been in that position, and I certainly hoped the government would have moved in some areas where there are significant concerns. Those concerns still remain, and I don't think that benefits us as MPPs, I don't think it benefits recipients in the province, I don't think it benefits payors, particularly those who make their payments on a regular basis and assume their responsibilities.

I'm sorry that the government couldn't come to making some of the changes that I think even some of the government's own backbenchers would have liked the parliamentary assistant and the minister to make. I will reference some of those backbenchers in my comments here today because we were pleased, from time to time, to receive their support, particularly the member for Ottawa-Rideau, who on three occasions did vote with the opposition. I would have hoped we would have seen more opposition members who were prepared to make the necessary changes, to make a bill which we had all supported, a bill which would have been that much better.

Let me begin with the concerns that the NDP raised during second reading, the concerns we raised during the clause-by-clause and the concerns that we still continue to have because these concerns were not met and not responded to.

The first comes in subsection 4(1), which is the section of the bill that assigns the director's power to any number of other organizations or other people. Specifically, the section reads:

"The Attorney General may, subject to the approval of the Lieutenant Governor in Council, assign to any person, agency or body, or class thereof, any of the powers, duties or functions of the director under this act, subject to the limitations, conditions and requirements set out in the assignment."

It's worth repeating some of the concerns that were raised by presenters on this particular section. Let me just read some into the record on section 4 from Carole Curtis and from S.O.S., which is Securing Ongoing Support in Sudbury.

"Enforcement of family support orders should remain a government responsibility. Private collection agencies will have a greater incentive not to enforce difficult cases by using the powers under section 7 and thereby reduce their administrative costs."

Secondly, "Delete this provision. If it's not deleted, it should be amended to permit support recipients to incorporate, to take over the enforcement themselves.

Thirdly, "There is no proof of the benefit of involving the private sector in enforcing support orders. There is a concern that the power to delegate the director's powers, including the exercise of discretionary powers, is overly broad.

Fourthly, "Reconsider this provision. It is not clear how privatization will improve the plan with the implementation of user fees and threatening confidentiality."

Our concern is as follows: We do not believe that section 4, as it appears in the bill, is only a reference to a potential private sector partnership to collect arrears. The parliamentary assistant and any number of government members tried to say during the debate on this section that all we were allowing for in this section was the opportunity for this government to enter into some kind of partnership, some kind of arrangement with a collection agency or with a financial institution to try and recover outstanding arrears and that in some cases a private sector agency would be better than the government to do that.

It would be one thing if I thought that this was actually what the government had in mind, and I would agree that under specific cases, under specific circumstances, there are agencies out there who are probably better than the government to try and collect some of these long-outstanding arrears.

If you take a look at the business plan that the Attorney General released to the public in January of this year, you see clearly that what the view of the Attorney General is is that two to three years from now the entire family support plan will be privatized. It will no longer be an agency of his ministry, it will no longer be run by public servants; it will be a plan that will be run by the private sector to make a profit.

The New Democratic Party fundamentally disagrees with the government's direction, which is to privatize the family support plan. We fundamentally disagree with that. We do not believe for a single moment that a private sector agency should have any right whatsoever to make money off the backs of women and children who are owed legal entitlements in this province. No way. That should not be allowed to happen in the province of Ontario. But it is clear from the provisions in the business plan that that is where the Attorney General is heading. It is also clear that section 4, which allows the delegation of the director's authority and his responsibility and his power to other agencies or other individuals, is the basis upon which the government will move to privatization two or three years from now. That is clear to me.

1700

I argued in committee and I'll argue here that this party strongly believes the government of the day, regardless of what government it is, has an overwhelming responsibility to be involved in a very public way in ensuring that support orders are enforced. That is a very specific responsibility of government that was recognized by the Liberals in 1987 when they established the plan in April of that year. It continued to be recognized by us in 1992 when we made changes to the plan which allowed for money to be directed from people's paycheques into the plan and then out to recipients. It should be recog-

nized by this government that it has a strong and important role to play, a public policy role, in ensuring that support orders are enforced by the province, that issues around support and how we go after people who don't want to pay continue to be issues which are in the public domain and which are carried out by a public sector agency, namely an agency of this government.

It's unfortunate that we could not convince the government members to repeal section 4. As a matter of fact, we moved an amendment that would have said the director could have the power to assign duties and responsibilities, but that assignment had to be to another employee of the plan. We recognize that there will be times when the director will not be in a position — maybe he or she will be ill, on leave etc — to undertake all of the responsibilities of the plan. At those points, those responsibilities should be assigned. But they should continue to be assigned to people who work within the plan, public servants in a public sector agency. That is the way we believe that government will continue to be accountable in a significant way to the thousands and thousands of women and children across Ontario who are in receipt of court ordered payments and who need to be assured that the government will be involved in a direct way in the enforcement of those same orders.

I am very concerned that the government decided it was far more important to put in place the groundwork, the basis for the privatization, than it was to acknowledge, to admit and to recognize that government itself, regardless of which party, should continue to have a strong role in these very important issues.

Our second concern was and continues to be around section 7 of the bill. Let me read into the record subsection 7(1). It says, "Despite section 5, the director may at any time refuse to enforce a support order or support deduction order that is filed in the director's office if, in his or her opinion," and a number of criteria apply.

I want to just read into the record some of the concerns that were raised by presenters, very serious and significant concerns about the ability of the director of the plan to at any time refuse to enforce a support order. Some of those concerns are, and I quote:

"Support orders have often been made as the result of long and costly battles in court. No one but the court should be able to close files or to make a decision not to enforce the orders."

Second: "Delete this provision. It provides the director with very broad powers to reduce the number of orders that the plan will enforce."

Third: "The only valid reason for closing a file by the director should be if the payor is deceased and the estate has been distributed. All of the other reasons should be deleted."

Fourth: "The director should not have the discretion to close and not enforce old files."

Fifth: "The director should not have the discretion to pick and choose which orders to enforce."

Finally: "The determination of whether a case is unenforceable or uncollectible should only be made by the court and only after clear criteria have been met."

We fundamentally disagree with the director's discretion as it appears now in this bill as passed by this

government to make a decision to close files. The parliamentary assistant tried at committee and again here today to say that what the government was doing was only codifying practices which had been in place at the family support plan. That is just not so. That is just not the case. No doubt files were closed at the family support plan when payors were deceased, but the plan did not allow for the discretion of the director to close a number of files in the way and by the means of which they will now be closed under this legislation as it is passed.

We argued very strongly, and in fact my colleague from London Centre moved an amendment which said that we recognized that at certain points in time it would be impossible for the director or for plan staff to take enforcement action. That could occur in any number of circumstances: perhaps the payor is in jail; perhaps the payor is on general welfare; perhaps the payor has fled Ontario and is hiding somewhere else because he doesn't want to pay arrears. All of those are possibilities and in all of those cases we agree that the director of the plan should have the discretion to suspend a file. That is the very significant difference between our view and our amendment and what the government passed.

We do not believe the director should have the ability to close the file for the following reasons:

Because under that system all of the onus to reopen a file, to get enforcement action taken again, now falls on the shoulders of the recipient and her family. I was pleased to see that the member for Brantford, who is here today, saw that too and questioned the parliamentary assistant about that very provision and made it clear, frankly, that he felt, as he looked at what was before us and given what we heard, that was going to be the case: All of the onus would be on the back of the recipient to get a file reopened. It was too bad he was in the chair when the time came to vote on this particular provision, because I would have been interested in seeing how he would have voted at that time.

It's also clear that it's not going to be just a simple matter of a recipient filing a statement and filing a statement of arrears in order to get that file reactivated. The parliamentary assistant tried to tell the committee that even if a file was closed, it was going to be a very simple matter for a recipient to get enforcement action taken again. He tried to tell the whole committee that all it was was a question of actually filing some statements and the case would be reopened. If it was that easy, why would the director be closing the file in the first place?

We all recognize that the only way a file is going to be reopened is if some new information comes to that file, and that new information nine times out of 10 now under this system is going to have to be provided by the recipient. We heard from any number of recipients that they do not want any contact with their ex-spouses. They don't want to know if they're coming back to Ontario. They don't want to know if they're living in the neighbourhood next to them. They don't want to have any form of communication or contact again with that payor. But under this bill, we're placing the vast majority of the responsibility for getting a file reopened on them, so that they're going to have to trace and track and follow up on the payor. That's not the position this government should be putting recipients in.

We're also very concerned under this section that, as we learned during the committee process, when you close a file, the arrears will no longer be tracked. That's a concern we've raised throughout the debate on second reading, because it is our fear that what will happen is any number of files will be closed so that the government track record on the family support plan will look good two and three years from now; that the Attorney General will stand in his place in this House and say, "As a consequence of Bill 82 and all these enforcement measures, the arrears in Ontario have moved from \$900 million to \$300 million," when in fact what the reality will be is that the director of the plan has closed any number of thousands of files and all of the arrears attached to those files will no longer be recorded in the public domain.

We raised that issue and a number of government members, including Mr Klees, the member for York-Mackenzie, asked the parliamentary assistant, asked the staff, "What happens when you close a file? Do the arrears continue to show in the public domain or not?" They do not.

1710

I raised that concern in the context of comments that the Attorney General himself made in this House on second reading. The Attorney General in this House on second reading, which was on November 20, said the following: "Using these criteria, we estimate that about half of the nearly \$1 billion in arrears owing may be collectible. We intend to collect as much as we can for the rightful recipients."

If about half can be collected, we're looking at about \$450 million that the minister himself assumes cannot be collected. I asked during the course of the committee hearings for the criteria upon which the ministry had made the decision and the reason for which the minister had made the statement in this House. We never got a copy of those criteria. I suspect those criteria are very much the criteria we see in section 7, and that the ministry has already taken a good look at the substantial arrears that are there and has made a determination based on the criteria that now appear in section 7, that only about half will be collected.

I think it is appalling that a minister who has made much of the fact that \$1 billion of arrears is owing would put into place in this bill a section which allows the director to refuse to enforce and at the same time allows the arrears not to show in a public way in the public domain. As much as I would like to believe the Attorney General when he says it is not his intention to have those arrears written down in terms of what is showing to the public, given everything else that has happened with this minister with respect to this plan, I don't doubt for a moment that that's exactly what's in his mind and that's exactly what he wants to do.

There's one further reason that I think he wants to do this, and this leads to our third concern in this area. There is no doubt in my mind that a condition of a sale or a condition of a takeover of the functions of the family support plan by a private sector agency will be the ability of that enforcement agency not to have to collect on difficult and complex cases. Why? Because there's no

profit for the private sector company, for the financial institution, be it the Royal Bank or any number of others who have put in proposals, in having to enforce and take action on long, outstanding, complex arrears.

I believe that the reason this section is in is to provide some appeal to that private sector agency so that they will indeed want to take over the family support plan, and they will take it over on the basis that any number of those cases have already been closed before the plan is privatized or that they themselves, whether it be the president of the company or whatever institution it is, will also himself or herself have that same power transferred to them to close files. What you will see at the end of the day, which is the concern that we raised and the concern that any number of other people who came before the committee raised, is that thousands and thousands and thousands of dollars that are legally owing to families across this province, to women and children, will never be enforced, will never be collected, and money that they are entitled to receive will never get into their hands.

I am not comforted by the fact that the parliamentary assistant and the minister tried to reassure us that it was not the minister's intention to have those arrears written down in that way. I am not comforted, given everything that has happened so far by this minister to this plan. I really worry that what the government has done with this bill is to hold out a false promise to thousands and thousands of women across this province who believe that with the implementation of Bill 82 they're going to see some enforcement action on their arrears, when in fact the government will use any of the provisions that are outlined under section 7, which I will not get into, to close down files.

I think it's appalling that at the same time the government is trying to tell people that they will get money because of all the new enforcement mechanisms, they continue to leave in this bill a section which allows enormous discretion to the director to close files so that the arrears attached to those files are no longer a matter of public record.

The government, if nothing else, should have made a significant change in that section to say that files can be suspended, that there will be put in place at the family support plan a means, either on an annual basis or a periodic review every three or six months, that if new information comes in from the federal government, if new information comes in from MTO through drivers' licences, if new information comes back into the plan through any of the mechanisms which it now should because of the new technology the government is implementing, if any of that happens, on a regular basis those files will be reviewed, they will be taken out of suspension and they will be enforced. It's a real shame that the government could not see clear to doing that.

I am also very concerned and we continue to be concerned because there was not a change around subsection 16(1), which is of course the opting-out provision. Let me read it into the record.

"A support order or support deduction order filed in the office of the director may be withdrawn at any time

by a written notice signed by the payor and the recipient unless the support order states that it and the related support deduction order cannot be withdrawn from the director's office."

A couple of comments by presenters who came before us:

"Reconsider this section. The current regime for consent withdrawal from the program and suspension of support deduction order should not be changed."

"The plan should be mandatory. There should not be any opting-out of the plan."

"There is no need to burden the plan unnecessarily with enforcing already compliant orders, but no one knows what will happen if there is opting out."

"The bill must have measures to guard against coercion of recipients. A compromise may be to remove the universal mandatory deduction by the employer and allow payors to voluntarily pay the plan, which in turn would continue to monitor compliance and pay out of the funds to the recipient."

What is interesting is that the very last suggestion reflected an amendment that the Attorney General himself, when he was critic for justice and when we were making the changes to the family support plan, moved in this Legislature. He said at that time, in December 1990:

"I will be introducing two amendments to the bill. The first amendment seeks to allow those persons who are currently meeting the provisions of their support and custody orders to pay them directly to the director, without automatic collection. It is the responsibility of the director to forward these payments on to the support recipient."

I ask the government, if it was good enough for the now Attorney General in 1990 to say that the program should be mandatory and that you could at least flow funds through the director to ensure that recipients got those funds, why isn't it good enough now in 1996 in Bill 82?

I think the real reason is that the government is hoping that any number of people will indeed opt out of the plan. I believe firmly that that is what the crisis that began in August and continues today was all about, to convince people that they'd be better outside the plan, dealing with the payor outside the plan, because with the staff cuts the minister implemented by his change in August I really believe the plan will not be able to cope with the large numbers of people who are now in it.

What the Attorney General has done, instead of recognizing what he thought was fine five years ago, is to put in a mechanism which I believe will not be able to guarantee that recipients will not be coerced by payors when it comes to this issue of opting out of the plan.

We heard from any number of presenters about how they never wanted to see the payor again. We heard from any number about coercive measures that were already used against them to get them to agree to forget about arrears or any number of other financial matters, and there is nothing in this bill which clearly says that coercion will be stopped by the government, that it will not occur.

It's not enough for us to say that a woman, a recipient, can go to a judge and ask for a judge to order that her

support order remain within the plan. Legal aid doesn't pay for it. Most of the women who came before us don't have the funds to go to court yet again, and the only way to ensure that you don't have people trying to find the means to pay to get to court, that you don't have coercion going on, is to ensure that people stay in the plan and that automatic filing and automatic payment occur through the plan. I continue to be very worried that the government would not make any change on this very important section of the bill.

Finally is clause 63(i), in the regulation section, which says as follows:

"prescribing fees to be charged by the director for administrative services, including preparing and photocopying documents on request, prescribing fees for repeated filings of a support order or support order deduction, as specified in the regulations."

1720

This is the section in the regulations which allows now for user fees to be applied against recipients for simple administrative services that the plan should provide.

We heard from any number of people that they did not have the money to pay the plan now for such services as photocopying of documents etc. Any number of people came before us and said it had been a huge undertaking for them even to come to the presentations in the first place. One woman could not afford to fax something to our committee. That was the nature of her financial situation.

It is wrong, it is dead wrong, of this government to allow user fees to now be applied to recipients. This government should not be trying to make money off the backs of women and children — money that is not government money, money they are legally entitled to because of support orders.

It's even more appalling that the government members would leave this section in place knowing full well that the business plan presumes that in two to three years from now the entire plan will be privatized, because then you will have a private sector company making money off the backs of women and children, which they should have no right to do in this province.

I give credit to the member for Ottawa-Rideau, who voted with the opposition against this section, because he recognized how appalling it was for a government that claimed there would be no more user fees in the Common Sense Revolution to now believe it was all right, that it was okay, to apply user fees to families who rely on support payments in the province of Ontario. Surely we haven't sunk to such a low level in this province that the Conservative government would think it's fine to charge fees to recipients and their families.

I say to the government members, it would have been the easiest thing in the world to decide that for administrative matters, for photocopying services, it was just not appropriate to do that on the backs of women and children who are part of the family support plan. I could not believe that the government would not change its mind on even that simple, single issue.

I also was very frustrated in the committee because we could not get information to which we have a right,

which would have been important in this third reading debate, which I think would have been important to show people the crisis the plan has been in directly as a consequence of the changes made by this government in August and why they should continue to be concerned that even with the passage of this bill, the changes implemented will make it very difficult for the remaining staff to enforce the new tools that apply in Bill 82. People have a right to know that.

We asked, for example, for some of the statistics from the family support plan which show the receipts that go out from the plan on a monthly basis, receipts both to recipients and back to FBA, back to the treasury. We asked for those statistics from November 1995 to November 1996. All we received from the parliamentary assistant in a verbal form were the receipts from November 1996.

I know that the reason we didn't get these statistics for the months of August, September and October is because they are so appalling, because they clearly show that very little money went out of the plan into the hands of recipients during those months because of the cuts made by the Attorney General, and it would have been a significant and huge embarrassment to the Attorney General if we had had that information. We should have had it. We have a right to have it. We know it exists. I regret that the parliamentary assistant couldn't provide that to the committee.

We also asked to receive from the parliamentary assistant a very clear indication of the type of computer technology that is going to be purchased, when the tenders went out, when they are expected back in, and what will be the ability of that technology to interact with Ministry of Transportation technology, with federal government technology, with credit bureaus etc. The premise upon which Bill 82 is based is that that new technology will make all kinds of information that has not been available to the plan before now available and that staff will be able to undertake enforcement as a consequence.

I regret that again the parliamentary assistant could not provide that to the committee members. I heard him say today that at the end of January he anticipates that we will be able to do something around the driver's licence and that sometime at the end of the summer we will be able to have the other enforcement tools in place. I believe the government — well, I hope the government has a plan, although I haven't been impressed with their plan to date with respect to the family support plan. I believe that information does exist.

I believe the reason we didn't get it is because it would then be very clear to the public that the request for proposals for all of this technology only went out in the last month and it's going to be months before that information comes back in, it will be months before the ministry itself makes a decision about what technology to purchase, it will be months before that technology is in place at Downsview and it will be months before the enforcement tools outlined in this bill will be able to go into effect, and we would find out that the government indeed during the second reading debate held out false

promise to any number of women and children when they said, and they said very clearly in the debate in here, "If we pass this bill tomorrow we'll be in a position to get money into the hands of children and women who need it."

Certainly that was the basis upon which any number of petitions came into this place and the basis upon which the parliamentary assistant, on numerous occasions during that debate, tried to say that the NDP and the Liberals were holding this up, and that if we only stopped holding up the bill, the tools could go into place and the money could come in. You know what? I suspect it's going to be months and months before that technology will be in place in Downsview, before the new staff, who were only just hired, will have any understanding of how to operate it, and before women and children who are owed long-standing arrears are ever going to see any of that money.

In conclusion, let me just say that I remain extremely concerned about the ability of the staff at the family support plan even to undertake any of the new enforcement mechanisms, given the cuts this Attorney General made in August. The Attorney General in August of this year decided it was more important to finance the tax cut on the backs of these women and children than it was to ensure that they would get their regular ongoing support payments. He made a decision to cut 35% out of the family support plan budget over the next two years. That will result, on a permanent basis, in a layoff of 40% of the staff of the family support plan.

I hope the government does not find itself in the position a year from now of realizing that because of that cut in staff, because of the cut to the regional offices, they are not capable of undertaking the enforcement action proposed in Bill 82. If that happens, the promise you have held out to women and children who haven't been able to receive arrears will have been badly broken and all the things you promised them will be completely shattered.

It's bad enough that the government made the cuts and affected women and children who used to receive regular support payments and have caused them untold financial distress, but I don't know what you're going to do if a year from now you find that because of the 40% cut in staff you can't even enforce the mechanisms in here. I hope you don't find yourself in that position, because thousands and thousands of women and children who believe this will help will be sadly and very sorely mistaken if that indeed occurs.

Mrs Boyd: It's a pleasure to carry on from where my colleague from Sudbury East left off, because that is indeed our very great fear. We heard the hope in people's voices as they came before the committee that maybe the enforcement measures within this plan would make a difference not only to them but to other women and children. We all heard the stories of the lengths to which payors will go to avoid their family responsibility. This wasn't news to many of us who've worked with women and children who have been in this kind of situation, but it was none the less poignant and very difficult for these people to come before us and tell their very personal information about what had happened to them. It is to all

of us a great wonder that they had the courage and the strength to do that, because it is very difficult to reveal that kind of personal information. They are to be congratulated for having come forward, having had the courage to give very personal details to convince the committee about the importance of this bill.

1730

One of the issues for us on this side of the House has been the effort of some members of the government to try to portray us as trying to hold up this bill. That has been extremely difficult for us because that is not the case. We said from the beginning that we would be supportive of the enforcement measures and that our only objective was to deal with some of the problems in the act that my colleague has outlined.

The government made a couple of changes, and I think it's important for us to recognize that one of the biggest problems that faced all of us was the issue that a file could be closed because of a large number of arrears, especially given the cases we heard from people who were owed \$60,000, \$79,000, \$110,000. It was a great fear to us that clause 7(1)(d) would be left in. When the time came to go through the amendments, all three parties had indicated that we wanted clause 7(1)(d) removed, and it was. It's important for us to recognize that it is a commitment on the part of this government that files will not be closed simply because the amounts of the arrears are large and they are of long standing.

It is one real success in terms of the committee process that we all came to agreement on that. Now we'll have to monitor that because one of the problems, now that the revised section 7 and section 16 allowing the director to close the file and allowing people to withdraw from the plan, is that there's no way to track what the effect of that is going to be.

One of our amendments was to require that there be regular reporting that would show how many files had been closed and what had been owing to those people at that point in time so that there would be some measure of what was going on. Similarly with withdrawals: How many withdrawals from the plan are there and how many of those people eventually have to go back on the plan? If we are going to look at this bill again in five years — that is about the number of years that go by before we have to look at new measures, because we can be sure, having heard from some of the non-payers, of what lengths they will go to avoid paying support — over the next five years there will be ways for determined non-payers to avoid payment under this act.

Yet we are going to be without any commitment on the part of the government that we will have a tracking of that whole issue of closure of files and withdrawal. I think that's a real shame, because this plan was designed to be cumulative. It was designed to track, over time, the level of refusal to maintain your family responsibility and it was always intended that the number of cases would accumulate and that the amount of dollars owing would accumulate and that cases would only be closed when the support obligation was ended.

We didn't get that assurance. In fact, section 7 was the most controversial section in this act, and subsection 7(2)

says: "The Attorney General may establish policies and procedures respecting subsection (1) and the director shall consider them in exercising his or her discretion under that subsection."

It is our very strong belief that leaving it up to an Attorney General, who might or might not, is not appropriate, because there is no obligation under this act to establish policies and procedures regarding the closure of files. In no way do I cast aspersions on the current Attorney General, who has indicated that is certainly his intention, and he is an honourable man, so I expect he will follow that through.

This law will pertain to any Attorney General and should bind this Attorney General and all subsequent attorneys general to having policies and procedures in place, not that the director considers but follows, so that when a payor and a recipient get a support order and a support deduction order, they know exactly what kinds of policies and procedures will pertain if that file is to be considered for closure. We don't have that here. We have a permissive piece that will allow that to happen but does not require that to happen, and that is a very serious matter.

On the closure of files, there was one other minor success in the changes we wanted to see in clause 7(1)(f), which originally read, "the whereabouts of the payor or the recipient cannot be determined after reasonable efforts have been made." The government withdrew "of the payor," and that is important, because we know that one of the reasons for non-collection is that payors try to disappear. They deliberately leave the jurisdiction, cover their tracks and find new names, new addresses, anything they can do to avoid detection.

It is important that a file can't be closed because a payor can't be located, because that's the whole problem in vast numbers of these cases. We were pleased to see that minor change because it relieved some of the anxiety of some recipients who came before us. It plugged what looked like permission to payors to disappear for long enough that the plan stops looking for you because it is too expensive; it is too onerous.

The parliamentary assistant gave us a little verbal update of some information we wanted. We still say very clearly to the Attorney General that if it is his intention to win back support for this plan, it is important for him now to send a notification to all recipients under the plan, not the propaganda that was sent after the staff were fired and the offices closed but a real piece of information admitting that in the transition period things are difficult and that the transition is not going to be over today when this bill passes.

The rhetoric from the government about our holding up the bill suggested to people all over this province that somehow if this act were passed, immediately money would begin to flow, and we know that's not the case. The parliamentary assistant said today that he expected the centre at Downsview to be up and running by January. When all this happened in August it was supposed to be up and running in September. That was extended to October and then to November, at which point my colleagues went to see what was really happening, and

we all saw what happened. Then it was supposed to be December. In fact, the Attorney General said to me: "We should have it up and running in a couple of weeks. Why don't I let you know and you can come and see it?" He hasn't come back with that invitation, so I suspect it's not up and running yet.

We are saying, be honest. It takes a long time for transition. You put an end to the program as it was, you boxed up all the files and you sent them off to a place which was not staffed, which was not even secured. You didn't even have computers that were plugged in, much less the people to run them. That's the reality, and we all know it.

Having had that history, it is incumbent upon the Attorney General and his ministry to begin to build confidence in that plan again, to be honest that, "By the end of January we hope that maybe, when you phone the number that we tell you is this wonderful improvement, you won't get, 'We cannot process your request at this time,'" which happens all the time, or the fax line which suddenly switched today, I believe, to a 705 number, which I thought was rather interesting, since Downsview is definitely not 705; it's not even 905. This is the kind of thing that shakes confidence in the plan.

The parliamentary assistant tried to say again and again that there is no intentional destruction of the family support plan, that there is no intention to convince people not to be clients of the plan. I say it is the job of the Attorney General to convince people of that, because no one watching the shenanigans over the last five months can really believe that.

Everything was designed to create a crisis. Everything was designed to make payors and recipients believe that this plan couldn't work for them, and thank God they could get out.

Everything was there to try to convince lawyers to advise their clients to get out. We heard that from recipients, we heard it from lawyers, and that's a shame. We had the best plan in North America, we had the most cost-effective plan in North America, and this government destroyed it and now expects people to have confidence in its new plan.

1740

Well, I hope they do, because I know the alternative is disastrous. It's not only disastrous for the individual recipients who will run into the same kind of behaviour that non-payors show in their determination not to meet their obligations, but it is disastrous for us as taxpayers, because when recipients do not get the dollars they are owed, they do not have the wherewithal to raise the children appropriately, to give them what they need. Everyone who's a recipient isn't destitute, everyone who's a recipient doesn't turn to social assistance — although many do — but the money that is supposed to come from the payor parent is often the difference for people. It is often the thing that makes it possible for them to achieve a standard of living for those children.

It is important for this Attorney General to now communicate with all the people in that plan and say: "Look, we're going to have this piece up and running in January. Then we're going to put out a proposal and get

the hardware and software we need. When we have that in place, our computers will be able to talk to the computers and the records within the Ontario government, within the federal government, when we get that agreement negotiated, so that we can trace and locate. But in reality it will probably take us" — I would suggest to you, knowing the track record of the Attorney General's ministry in implementation — "about 18 months to accomplish that."

One of the things we wanted in our amendments was some assurance that no file would be closed until all of the trace-and-locate and enforcement mechanisms that are now in this bill had been used on those files. I need to tell you that I'm very concerned about that because I saw the Qs and As that the Ministry of the Attorney General prepared the day they fired the 290 people and closed the offices. The final question is, "What is going to happen in the transition period?" and the final line is, "Files will be closed." The plan is to close files before these enforcement mechanisms are fully in place, because no reasonable person expects these enforcement mechanisms to be in place within a very short period of time.

That is our worry. We want to make sure that all of these mechanisms have been applied to those files, because we know how ingenious non-payors are in trying to hide their assets and hide their income. We know it's important for each file to at least have the opportunity to be vetted against these new files.

I would urge the Attorney General — he hasn't done very well with coming clean with us around what's going on with the plan. I would suggest to him that if he had said right from the beginning: "Look, we didn't think all these people were going to leave. We thought they might stay for the six months. We didn't expect everything to be in such chaos, but it has been and we know it's created problems. So now we're going to come forward and be honest with you about what's going on and be honest in terms of what you can expect."

My colleague said one of the worries we have is that people will have too high expectations of what's going to be accomplished, and that's true. It is not simply a question of having all these mechanisms in place, although they will help, and I believe they will help in a vast majority of the cases that have proved uncollectible to this point, but I stress again the determination and the ingenuity of those who refuse to accept their responsibility.

We will see court cases around whether or not these measures are too onerous. We will see people challenging the right of the government to withdraw licences and permits. The Ministry of Transportation already knows that; it's very worried. There are a lot of amendments we made that were to try and guard against that, and that's particularly true when we are dealing with joint property, when we are dealing with joint permits on vehicles, when we are dealing with situations where someone who is not mentioned in the court order is going to be subject to enforcement mechanisms.

I believe the Ministry of the Attorney General has done what it can to make those sections challengeproof, but I also know, as any reasonable person does, that there

will be those who will not accept this. They will see this as an infringement upon them, particularly those who are partners in a business, particularly those who are new partners of the payor, who see their children as not having the kind of support they would like to see their children enjoy because a previous spouse and the children of a previous marriage are entitled to that support. Some of the most difficult cases I've had to deal with over years are from second or third spouses who see that new family having difficulty managing because of the obligations of a payor in previous circumstances. One of the realities of this bill is that it is quite harsh in those circumstances, and we will see some challenges to whether or not these measures are harming subsequent children in subsequent marriages.

All of us believe, I think, that when we have children, we have certain responsibilities and we need to follow those through. But we also know that in many cases people's expectations of what they are going to make in the future, what their financial position is going to be in the future, don't necessarily come true. So we see people entering into second, third, fourth relationships with great hopes that they're going to be able to maintain all of their responsibilities, and as you divide up the dollars that are available, it becomes harder and harder. That will still happen. I think it is false for us to say to recipients that the payor who enters into subsequent relationships is not going to be affected by those new responsibilities. We will see that happen and I think we need to be aware that it will happen.

The issue of withdrawing from the plan is particularly serious, we believe. We believe very strongly that there is virtually no protection within this act against coercion.

Subsection 9(2), which allows for a court to determine at the time a support order or support deduction order is made that it must continue with the plan assumes that the judge who is making that order is aware of what is going on in the situation and is aware of coercion. It also assumes that both parties have had clarity of instruction from their lawyers around their rights as to whether or not the orders are enforced by the plan.

It's quite an assumption in my view, because very often if it is an amicable situation people don't anticipate the kinds of problems that often arise subsequently around access, around new responsibilities that those two partners take on with other partners. The government seems convinced that if things are amicable, everything's going to be all right, but the problem is that things often look amicable until the circumstances change. Then, my colleague the member for Sudbury East is quite right, all of the onus comes back on the recipient under those circumstances, and that is a real concern.

The whole purpose of first of all the SCOE plan and then the family support plan was to ensure we weren't constantly putting support recipients in the position of being responsible for tracking down, tracing, locating and collecting these dollars. We believed it was important because when a relationship breaks down and people stop assuming their responsibility, very often there is danger, real danger, and we heard about that at committee from some people who were able to share those stories with us.

So it is really incumbent upon us, it seems to me, to be sure we do more than assume the court that issues the order has some idea about what's going on in that relationship. That's particularly true because the suggestion in the new family rules under the revised court practices is to try and prevent people from building up those big affidavits that claim all sorts of issues right off the bat. The whole issue of trying to convince people if they're breaking up a relationship to do that in as amicable a way as possible mitigates against the kind of evidence being in front of that judge that might say to that judge, "I think this is a situation where I must insist that this be enforced through the plan." So what happens of course is that that protection is not there.

1750

When people say, "Well, they both have to agree," we are completely taking out of the picture the difference in the balance of power within relationships. There's a lot of research on it; I don't have to repeat it. We know that in relationships both partners are not always equal, and we know that often that breakdown in power is a gender issue and that the recipients, who are mostly women, are generally in a position of lower power when it comes to coercion.

They get told by the payor that the payor will not demand additional access if they agree to have the payment outside the plan, and since there are often issues around the care the children receive, they may agree to that. But then over time, as they find that the commitment is not kept on the other side, the onus is on them to come back and say that they have to enforce this and they have to try and bring that back into the plan.

They will do that, of course, without the arrears having been calculated, and we have no idea how long it will take to actually get it on track. The registering of new orders, the enforcement of new orders, the whole process of getting that all organized takes time, and in the meantime, if they are living close to the line on support, they may not find themselves able to make ends meet.

We've told story after story about people in this Legislature who were in that kind of position, and one of the really difficult situations appeared in the London Free Press this morning. The headline is "Delayed Child Support Cheques Cost London Woman Her Home." The provincially run plan owes her \$1,200 in back payment, and she was evicted. She was evicted for not being able to pay her rent because she did not get the money that she should have got from the plan.

Before you say it, this is not a longstanding problem. This woman had been under the plan for four years. She had had two minor problems in the past, but she had always got her money within the month. She knows, because she called her partner's employer, Ford Motor Co, that the money was deducted and was sent to the plan, and she has not received that money. She now is homeless. In fact, we can't locate her because we don't know where she is and she has no telephone.

This is the kind of tragedy that I think we are going to see over and over again because of the disruption in this plan, but it is a tragedy that also occurs when people are under the illusion that if they withdraw from the plan

they're going to get their money and over time the payor reneges on that responsibility. There is case after case after case; not usually all the support at once, but just, "Honey, I'm a little short this month, so you're going to be short a couple of hundred dollars here, a couple of hundred dollars there," By the time it all adds up, people find themselves in a position where they can't make ends meet. By the time they get themselves registered with the plan and everything gets up to date, those people can find themselves in exactly the same position as my constituent in London who lost her home.

That ought to concern all of us. We asked, at least if you're insisting that people can withdraw, please make sure that the director can demand, first of all, to see that they have had independent legal advice. Both the Liberals and our party brought forward motions to ensure that there was some evidence that people had been advised appropriately about what their rights were and what the pitfalls were, but the government wouldn't agree to those amendments.

In fact the whole issue of legal advice becomes very important when we see what the effect of this act is. Under section 7, for example, there are many cases where the plan will simply close files and the person will be forced to go back to court to get a new order — many cases.

The first is where the amount of the support is nominal. We understand that if the amount of the support, as we heard in some cases, is only \$1 or \$2 a month, that becomes very, very difficult for anyone to enforce in an economical way. We understand that. But we proposed that a \$10 limit would be reasonable. The government would have no part of it. They said, "That'll be decided by these procedures," if and when the Attorney General puts them into place and if and when the director considers them and then follows them. That's one area.

Clause (b) says, "the amount of the support order cannot be determined from the face of the order because it is expressed as a percentage of the payor's income or it is dependent on another variable that does not appear..." Clause (c) says, "the meaning of the order is unclear or ambiguous."

We agree that in those cases it is difficult to enforce, but we want everybody to understand that closing the file in those cases is not going to help the recipient. Having a situation where legal aid is not available to her and variances are very expensive and difficult to obtain is also not going to be helpful.

I have urged the Attorney General to look at the situation around variances as a result of this bill, because there will be many, and if you come to sections 4, 5 and 6 of this, which in fact say that you won't get your cost-of-living increase that's in your order unless it meets a certain formula under the Family Law Act or a regulation as put in place under this bill, that means many, many people who have cost-of-living changes in their order will either have to accept not getting a cost-of-living increase or will have to go back to court and get that expressed in a way that is appropriate. That's a huge cost.

What we are seeing then out of this bill will be many, many men and women wanting to go back to court for a variation in their support orders and their support deduc-

tion orders and we will see a huge problem of overcrowding in our family courts because of course we all know that at the same time the new federal law is coming into place. The federal law is the one in response to the Thibodeau case in front of the Supreme Court, which will change the obligation to pay tax under family support.

Already, in our newspaper, our most prominent family lawyers are advertising. They're advertising to people who have family orders that it's important to come to see the lawyer because the new federal act comes into place on March 31, 1997, and you should get your order checked over and see whether you want to go for a variance.

We're going to have a huge problem with variances in this province and it's important for us to understand that if the Attorney General is going to meet his budget targets and deal with the backlogs in the courts, he needs to come up with a way in which variances can be dealt with, particularly since he has exacerbated the problem with the decisions under this act.

I hope that we will all be able to work together to find some way in which we can have special variance courts, some way in which we can get those orders done in a way that is not as costly to us as citizens in terms of court costs, is rapid and is done well on behalf of women and children. I am glad that the Attorney General is going to get some support to do that from his own caucus.

We want a couple of things to happen here: We want the government to convey to all recipients what is new in this act and to convey to all recipients what the time line is that they can expect under this act. We do not think that is an unreasonable request since the government was able to send out two or three pages of propaganda around the changes in the plan when they fired the staff and changed the offices, they ought to be able to send out the information that helps recipients to understand what is going on in this act and what time line they can expect for the changes.

1800

The other thing we want is a statistical analysis that's available to us. My colleague from Sudbury East was a little wrong. We asked for the statistics from June, July and August. We had them for May and we had them for September and October. My friend from Hamilton Centre gave an analysis of what those statistics showed us, and they showed us there was a huge gap in enforcement between May and October. We didn't get those statistics, and it may mean they aren't available because there was no one working in the office.

But it's important for the Attorney General to commit to ongoing statistical analysis month to month about what's happening in this plan. It was in place for about four years before it was available. I can remember the Attorney General when he was the critic asking for those figures and getting them. We believe that those figures should be available and that they should be available in a way that allows for a chronological view of what is happening to the program and that those statistics need to include the figures of those whose files are closed and those whose files are withdrawn from the plan so all of us here know on an ongoing basis how the plan is really

working. One of the worst parts of constituency work is working with this kind of a plan, because there are a thousand ways in which it can come unglued.

All of us as members here, if we're to serve our constituents well, need to be asking the Attorney General to provide for us the information that helps us to help our constituents understand how the plan is going to work and how it is working. It is important for us as representatives of the people in Ontario to have better tools and better answers for our constituents than we have had in the last few months. It is a good start on some changes that we see in this act. I know we'll be back changing it again in five or six years, as things go on, and we need to see this as a milestone along the way, another big

improvement in our ability to provide women and children with the support they need.

The Acting Speaker (Mr John L. Parker): Further debate? There being no further debate, I invite the parliamentary assistant to sum up.

Mr Tilson: No further comments, Mr Speaker.

The Acting Speaker: Mr Tilson has moved third reading of Bill 82.

Is it the pleasure of the House that the motion carry? I declare the motion carried.

Resolved that the bill do now pass and be entitled as in the motion.

Report continues in volume B.

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Speaker
Honourable Chris Stockwell

Président
L'honorable Chris Stockwell

Clerk
Claude L. DesRosiers

Greffier
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LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday 12 December 1996

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Jeudi 12 décembre 1996

Report continued from volume A.

1805

BETTER LOCAL GOVERNMENT ACT, 1996

LOI DE 1996 SUR L'AMÉLIORATION DES ADMINISTRATIONS LOCALES

Mr Shea moved third reading of the following bill:

Bill 86, An Act to provide for better local government by updating and streamlining the Municipal Elections Act, the Municipal Act and related statutes / *Projet de loi 86, Loi prévoyant l'amélioration des administrations locales en modernisant et simplifiant la Loi sur les élections municipales, la Loi sur les municipalités et d'autres lois connexes.*

Mr Derwyn Shea (High Park-Swansea): Let me preface my comments by saying that much of what is contained in this bill has been asked for, and I am pleased that it is in fact the Better Local Government Act. Municipalities and taxpayers aren't very happy with the current state of affairs. We've made a commitment as a government to deal with their concerns. In fact, we've made a commitment to fundamentally overhaul the provincial-municipal relationship.

At the heart of that commitment is our belief that there is too much overlap, that there are too many services and programs where the province and municipalities share responsibility. That's inefficient and confusing to taxpayers, and it's expensive. Our goal is to sort out who should be responsible for what and then make sure municipalities have the authority and the flexibility to manage and pay for those things that are their responsibility.

We're moving forward on several fronts. This past year we gave municipalities more autonomy to make local decisions and better manage their money. We appointed the Who Does What panel to advise us on which level of government should do what. Next spring, we intend to introduce a new Municipal Act that will give municipalities much more freedom to operate efficiently. This bill, the Better Local Government Act, is an important part of the overall strategy I've just set out.

May I remind members of this House why we brought this bill forward now rather than waiting for the new Municipal Act in the spring. The reason of course is that most of this bill deals with municipal elections. It's important that this bill become law before then.

There's no point in my going into great detail about this legislation. The Who Does What panel recommendations on which the bill was based were released in the summer. They've been widely discussed, particularly within the municipal sector. We all went through all the parts of the bill in the Legislature when we moved

second reading, and I note that in clause-by-clause consideration of the bill in committee there was general support for the bill on the part of the opposition in terms of the amendments we introduced on at least three occasions. In fact, the member for Fort York noted that the government was listening, and we are listening.

Some of the amendments make it clear in terms of a municipality's ability to better manage liability risks. These were specifically asked for by municipalities and the insurance industry.

Let me talk a little bit about some of the other amendments we've made. The bill postpones the municipal election startup date until March 31, 1997. This will be the earliest date candidates can file a nomination. We did this to allow restructurings across the province to be put in place and to give candidates time to know what political posts will be available.

We've also made changes to allow councils to downsize and make ward boundary changes in time for the elections. With this bill, for example, Durham and Halton region councils are being reduced by four members each.

Another important amendment will permit candidates from the last election to access their campaign surpluses and run for a new post where there has been a restructuring. As well, we are ensuring that employees cannot be penalized for refusing to work on an election campaign when they've been asked to do so by their employer.

Also at the request of the privacy commissioner, another amendment will allow us to ensure voters lists are not posted on the Internet. We believe privacy and personal safety concerns are of utmost importance to the public.

As part of our goal to streamline and modernize the Municipal Elections Act, we've also eliminated the need for a candidate to be nominated by 10 electors. Our aim is to simplify the municipal election process, to improve accessibility and to give municipalities the flexibility to conduct elections efficiently and in a way that meets local needs.

We look forward to the passage of Bill 86.

The Acting Speaker (Mr Bert Johnson): Comments or questions?

Mr Gilles Bisson (Cochrane South): On a point of order, Mr Speaker: I believe that we don't have a quorum.

The Acting Speaker: Would the table please check and see if there is a quorum?

Clerk Assistant and Clerk of Committees (Ms Deborah Deller): A quorum is not present, Speaker.

The Acting Speaker ordered the bells rung.

Clerk Assistant and Clerk of Committees: A quorum is now present, Speaker.

The Acting Speaker: Thank you. Comments or questions?

Ms Annamarie Castrilli (Downsview): I was interested to hear the comments from the member for High Park-Swansea with respect to this particular bill. We see it in quite a different light. We see this as another instance of government making a tax grab. We see this as an instance of a government that is downloading its responsibility on municipalities and can say to the taxpayers of this province, "It's not our fault that they're charging for libraries; it's not our fault that they're charging for garbage pickup; it's not our fault there are going to be user fees" for all kinds of things that the municipalities will have to levy because there will not be the funds for municipalities to in fact provide the services that people are accustomed to having from municipalities.

This is nothing more than a tax grab. It's another way for the government to take away its responsibilities, to provide less money to municipalities, to provide less services to people, all in the name of funding a tax cut. Will this give us better government? Is that the test? This bill really doesn't answer it, but it does say that the taxpayer is going to be hit with much higher costs, with user fees they never imagined before, with governments that will be ever more constrained to provide the kind of representation they need. That is one of the real problems with this bill: It isn't really all about municipal restructuring; it's really about absolving the provincial government from responsibilities that it has had in the past and loading those responsibilities on municipalities, which in turn will have to levy additional taxes in the name of user fees. They'll be called user fees, but they'll be additional taxes for the taxpayers of Ontario.

Mr Bisson: I just want to comment quickly to the parliamentary assistant. I wonder if he can comment on why he didn't speak about a particular section of the bill that's going to allow companies to give ad infinitum money to campaigns through third-party contributions, namely, when municipal elections are called. Under this act, large corporations are going to be able to back their horse, as one might say, either a mayor or an alderman, by directing dollars to advertising without any kind of limits. Originally, when the bill was put forward, I thought there was a limit of \$5,000 that was put on that kind of money that would go towards campaigns.

I think any fairminded individual would see that as a very cynical attempt on the part of companies to get their foot in the door to a certain extent to be able to boost the chance of a particular municipal candidate at a mayoralty or an alderman's election in order to gain influence. I would think in a democratic system we would want to limit that, we would want to make sure that there are actual expenditure ceilings when it comes to individual campaigns but, more importantly, that third-party advertising is controlled in some way so that we don't give particular candidates who are being supported by individual companies an advantage over other candidates who may not have that influence.

Typically, what could happen if this is allowed to happen is that a company can say it will back a particular right-wing candidate who has a particular view about what's to happen in the city of Toronto or Hamilton or

Timmins or whatever it might be, and because it is connected to that particular individual, it will have favour. The other candidate who tries to go out and run, who is doing it in the belief that they could represent their community and do the work that needs to be done and may not have the influence of a major company which wants to give money to a campaign, will really be put at a disadvantage.

I wonder why the parliamentary assistant didn't mention that in his opening remarks and if he could indicate that indeed you will be putting a limit on those campaign contributions and that you're not going to allow companies to write a cheque about who they're going to elect.

Mr James J. Bradley (St Catharines): I appreciate the opportunity to intervene for at least two minutes at this time. I give fair warning that I will be speaking later on in the evening, and I know members will be looking forward to that with great anticipation, no doubt.

A point I want to express concern about that the bill has, and the member perhaps didn't have the time to elaborate on, is that the provincial Commission on Election Finances will no longer be responsible for overseeing municipal election finances. I happen to think that one of the areas of potential difficulty for all electoral processes resides in fund-raising and expenditure of funds. Years ago, there were no laws which really covered this, and so a lot of secret donations were made to people, but it didn't matter because there was no law that prohibited that.

We have seen legislation in various jurisdictions, including Ontario, which has compelled companies, unions, individuals, whoever, who are making donations to disclose those donations so that everyone out there knows who has given to whom. It doesn't mean that's going to influence the person, but it's nice to know that this information is available.

The provincial Commission on Election Finances is a good, reputable body to oversee municipal election finances. Otherwise, you get a hodgepodge around the province of different people overseeing and perhaps different applications of rules. Since we want to ensure that people can't buy elections or can't get hold of funding for elections illegally, I think it would be advantageous to retain the provincial Commission on Election Finances for the purpose of overseeing the finances of elections in Ontario.

Ms Frances Lankin (Beaches-Woodbine): I believe there are many parts of this bill that none of us would dispute or have a problem with, but there are elements we have to question and wonder about the wisdom of. Many people have spoken of and pointed out the concern around the removal of the limit on donations and the importance of having a commission or others who are going to oversee that.

But I also just want to comment, in response to the member's contribution to this debate, that it is odd to see this one piece of legislation moving through on a fast track, to be done before Christmas, when in fact we know, and we have heard, that next week we will see a piece of legislation coming forward which will be of immense scope in terms of reorganization of municipal-

ities and municipal governance, one piece of that to deal specifically with the greater Toronto area, and of course we have been forewarned that there will be other bills coming that will deal with municipal amalgamation across the province.

I remember a time during the debates on Bill 26 when we raised concerns about the undue powers that ministers were taking on to themselves, and in this case, the Minister of Municipal Affairs to be able to force amalgamation. We were given assurances that this minister would not proceed on the basis of forced amalgamation, that he would work through in a reasoned way with people, with citizens, to talk to them about how they should best be governed and to give them a say in that process.

Yet we see here, in the GTA region and particularly within Metro Toronto, a government that is committed to a course of action that runs contrary to all of the best advice that it has received and that runs contrary to the popular opinion of the people within Metro itself.

At the very least, folks should have an opportunity to have a say in that, and that means going towards a referendum. This government, which supports referendum legislation, should at the very least allow the people of Metro Toronto that right to have a say about their governance.

The Acting Speaker: The member for High Park-Swansea has two minutes to respond.

Mr Shea: There were some very good interventions that I appreciate. In terms of the issue raised certainly by the members for Cochrane South and St Catharines that refers to contributions, I think at the very least they would acknowledge that contributions are made public, that in fact this government's intent is to ensure that the actions of local representatives will be accountable to the local electorate and that everything we can do to make everything that's happened at the local government level transparent is to the good of government.

I want to make a particular comment about the intervention made by the member for Downsview because that's probably the quintessential difference between the government and the opposition position in this area. The fact is that the member for Downsview would have us follow a view that the provincial government will continue to act as Big Daddy or Big Mommy towards the local municipalities, that there will always be a very tight rein on what happens and where it happens, when this bill and other bills that have come forward and are coming forward show a consummate respect on the part of this government for local government and an attempt to begin to find a way to allow the accountability to be put closer and closer to the people, where the action is occurring.

1820

Obviously some restructuring will have to take place over the next number of months, and for that reason we have to bring this bill forward quickly so that everyone who wants to be involved in the local level of politics has a very clear understanding of what is beginning to emerge, at what level they would like to be involved, and more particularly, when do they start the campaign and what will the impact be on that in terms of the amount of

money they will collect for the campaign. Clearly we have to deal with this one right now.

The Acting Speaker: Further debate?

Mr Mike Colle (Oakwood): I appreciate the comments of the member for High Park-Swansea, an experienced municipal legislator who has served in the grass roots of the city of Toronto and Metro and I think has an appreciation of the value of local government. Those of us who have served on local government certainly understand how critical it is that it not be overlooked, because one of the reasons we've had such success in this province is that we paid attention to local government. We have nurtured it, we have invested in it and we have been winners as a result of this investment.

The real winners are the taxpayers, who for their tax dollars get direct services. They see the byproducts: the roads, parks, community centres, the police officer on the beat, ambulance services and all the things that government is supposed to do, in other words, help people. That's what local government is all about. It's not some remote, complex, distant government; it's basically on the street with ordinary people. That is why we have such good towns and cities throughout Ontario.

If you look at the quality of life and the quality of neighbourhoods throughout every city in Ontario you'll see that they're something we should be proud of, that we've invested in, and we got good returns on that investment in terms of our safe streets, respect for neighbourhoods, the preservation of older neighbourhoods and of our architectural heritage. All this has been part of local government taking a hands-on initiative to preserve these treasures found locally that in the cities to the south, in the United States, in many cases they have taken for granted and subsequently have suffered the consequences.

In this Bill 86 there's a lot of encouraging improvement in the details of how government works, the whole area of nuisance suits. I can remember a case in Brampton of a young man who one weekend drove his vehicle, one of those motorcycles, into a quarry and was seriously injured, and that quarry supposedly was not properly supervised. As a result of that there was a massive lawsuit —

Mr David Christopherson (Hamilton Centre): Yes, \$6 million, I think it was.

Mr Colle: — yes, in the millions against the city of Brampton, and the city was found liable for something it thought was private property. That type of lawsuit hangs over all municipalities, and I think there's an attempt in this bill to deal with that, and especially some other lawsuits that come to municipalities on a daily basis. This is an attempt to deal with that reality municipalities are faced with.

In terms of the Election Act there are a number of other areas that have cut down on the repetition, on the added paperwork. I know you almost have to be a Philadelphia lawyer, sometimes, to run as a candidate as a result of all the legislation. I think this is an attempt to streamline that and make it a bit more understandable, so I think there was an intention to try and come to grips with the reality of that.

In terms of making it easier to vote, as you know, this has been a traditional problem where you have municipal voter turnout of 30%, 40%, sometimes up to 50%. I can remember the early votes in the city of Toronto, and I know my colleague from High Park-Swansea recalls when the vote in Toronto used to be in December. I don't know if it was the same in Ottawa, but they used to vote in December, and I think only property owners could vote. That's how it started out. It was the first week in December; people used to come out in the middle of winter.

We've gone through it incrementally to improve it and we've now got it up to November, and I think this bill doesn't go ahead with the October date. I wish it had, because one of the problems is the rain, the sleet and so forth, especially in northern communities, when you don't have that early date.

That's one thing I wish they had done. I know there's a problem in terms of the timing of it, but it is important to get people to vote, because when they vote they are involved and I think they become better citizens as a result of voting. Some people say, "Well, I just vote once a year, big deal." But it's the process of thinking about it, engaging in conversation. Part of the bubbling effect of democracy is people talking about how the city works and who's running. It doesn't do any harm — in fact, I think it does a lot of good — to have people discussing local government.

Encouragement to vote: The minister has tried with the telephone, voting electronically, by fax etc. That's a move in the right direction, but I certainly think we should proceed with some caution in that it doesn't become too remote. I don't think there's a problem with asking good citizens to come once a year to a school or local facility that usually would be a five-minute 10-minute walk and vote in person. I think that's the least a person can do. But where you have people who are unable to leave the house, who are seniors and perhaps are not feeling well that day but they want to vote, you should give them every opportunity to cast that ballot.

We have to ensure that it's monitored and done properly without any loopholes because it has to be verified that it is a legitimate vote. I think it's something we should be exploring with a degree of thoroughness, but everything that can be done to encourage people to vote I think is going to make for better local government, so I applaud the government for at least attempting to recognize that there is a need to do this.

A couple of other areas: This act states that it is an act to improve local government. I find it somewhat contradictory in terms of what the overall intention of the government seems to be, though, because all we've heard in the last number of months from this government is the opposite of what this bill talks about.

In the press release the minister said, "The goal is smaller, more efficient and affordable governments at all levels," but as you know, we've heard from the minister quite categorically that he believes in bigger government. In fact, he is about to give us one of the biggest governments in Canada next week, where he's basically saying, "Smaller isn't better; bigger is better." We're about to get a government to represent 2.3 million people, and he's

going to do it in great haste without recognizing that local government in Metro certainly has had a long and proud history. That is not to say there shouldn't be comprehensive change and adjustment. We all agree with that. But to say all of a sudden, "We believe that the answer to all our problems is having this megacity government," is quite shocking to the people who have been involved in local government, who know its importance and are told: "You have no choice. It's either the megacity highway or no way."

I think this contradicts some of the intentions and I wonder what the intentions of this bill are if we're about to see the demolition of local government, certainly in the Metro area and perhaps beyond. I don't know whether they're going to amalgamate Brampton and Mississauga too; maybe Aurora and Thornhill and Richmond Hill will all become one megalopolis up Yonge Street. I don't know where this is going to stop, but there's a very clear contradiction: This government is saying, "Smaller government is our goal," yet the legislation they're about to introduce in the weeks to come says, "We want bigger mega-governments to solve your problems."

1830

The most frustrating thing to local ratepayers is that they won't be given any say in this matter. A lot of them are asking: "Why not have a referendum? It's our city, it's our neighbourhood, it's our property taxes. I think it's our provincial government. Before you make this change that's going to affect local government for the next 50 years, maybe we should have a say in it. Maybe we should have some kind of plebiscite, because we think local government is important." I think the government started off with Bill 86 to remedy some of the pitfalls in local government and make it better, but then they're saying, "No, now we want these massive governments which no longer become local governments."

I wonder if this legislation is involved in a pre-emptive strike against local government. I think there was an amendment that, while the date for filing for elections at local government is usually January 1, the amendment now moves it to April 1, and this coincides with the agenda of the mega-government across Ontario.

They're going to be ramming through all this legislation: dramatic change to the property tax system. We're going to see a tax system that I think only the people in Lotusland have ever witnessed: the so-called actual value system. We don't know what it is but we're told: "It's going to be good for you. You have to accept this new property tax system at the local level."

Many local governments are in a state of total chaos, confusion and shock because they've been told: "You're going to have a new tax system. Your city councils may be abolished. Your local school boards are going to be abolished." In fact, the school boards may be just hollow shells. They may be just one person sitting in a big, empty cavern who's got a fax machine and a cell phone. That will be the new school board of the 21st century.

There's a lot of anxiety and apprehension, and Bill 86 is doing very little to relieve that anxiety. It takes one small step towards that, but there is one thing I do not like. Traditionally ratepayers have had the right to appeal to the minister on the grounds that perhaps there's been

misconduct at the municipal level and the minister would have the right to appeal it. Bill 86 now removes this appeal investigation provision, which most municipalities will support, although some ratepayer groups may oppose it. This inquiry provision was used in the past, and I certainly witnessed its use very effectively, and that was in my own city of York, where we had a serious problem with a group of councillors. I think you have to give ratepayers the right to ask for an inquiry. I don't know the value of taking that right away from ratepayers, especially when there have been some cases, in recent years, of administrative abuses in some local government areas. I think that's a good safeguard and I don't see the necessity of removing that from the legislation.

There's another thing that's very troubling with municipalities and local government. This government has downloaded, unloaded, over 1,700 kilometres of roads from the provincial government to the lower tier. They didn't really have a choice. They were told, "Take the roads or else." So we're going to see a real problem there. I noticed they tried to help the municipalities a bit by removing or lessening the liability where municipalities now are going to be asked to keep it in a state of repair that is "reasonable" in light of the circumstances, including the road's character and location.

I am not sure whether the municipalities are going to be able to do this, considering their funding is dramatically cut and they have 1,700 kilometres of extra roads to take care of. We know they can't raise taxes and we know that people don't want user fees, so this bill does nothing to protect local government from meeting that challenge of unloading 1,700 kilometres of roads on cities and towns and counties all across this province. I find that quite puzzling, considering that the minister himself cut 46% of subsidies to local municipalities.

You can't have it both ways. You can't cut 46%, then unload the roads and tell the municipalities, "Keep the roads safe and in good repair." I think that's going to be a daunting challenge for mayors, especially in some of the small cities, but I guess there won't be any. I see. Maybe that's the answer: There won't be any small cities left and that's why they're bringing everybody together into these Soviet-style megalopolises, where they can somehow all freeze in the cold together, or whatever they're going to do together, and it won't be as painful.

This bill should have more protections for small government. This bill hints at the problem, because the legislation enhances some municipal borrowing powers by removing a number of existing obstacles. Therefore they're saying: "We know you're going to have to borrow more. We know you're going to have to borrow more often because we're going to unload more roads, we're going to unload perhaps more health centres, more nursing homes." Who knows what they're going to unload on to municipalities? They recognize in this bill that they'll have to borrow more.

What I worry about, considering the volatility of investment instruments, is whether some municipalities are going to be able to cope. We recently had a situation where the city of Pickering invested in an insurance company — Confederation Life I think was the name of it — which went under. Subsequently, because of default

there, Pickering was left over \$1 million short because of the investment. I think the warning to municipalities should be, "Be very careful," especially after what happened to the stock market yesterday and the other day. It may be just a bit of burp in the market, but we have to caution municipalities that this ability to borrow more easily may not be everything it's made out to be.

They also should look at what happened in Orange county. As you know, Orange county, one of the wealthiest municipalities in the States, essentially went bankrupt because the money manager made some very colourful investments that ended up bankrupting them. So Orange county, which is almost like the Oakville of California, had to declare bankruptcy because that municipality could not proceed as a result of these bad investments.

This ability to invest more is in many ways a bit dangerous, and I think municipalities should be very careful as they proceed along this way because the province is going to ask you to borrow more.

One thing the province is saying to municipalities is that perhaps they should be innovative in terms of where they can get their revenues. Considering that the Minister of Transportation today supported Mel Lastman in naming subway stations when he said, "You can name those subway stations along Sheppard and call them the Ford station, the Bad Boy station, and bring in revenues," maybe the Minister of Municipal Affairs should say to cities: "Listen, maybe you should change the name of the city. Perhaps instead of Ottawa you could call it Corel." The member for Ottawa Centre could be the member for Corel Centre. Maybe the member for Brampton North could be the member for Chrysler Intrepid. I don't know.

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Ms Lankin: Whatever you do, don't give them any ideas. Why are you giving them ideas?

Mr Colle: I know, I shouldn't be giving them ideas. This is again raising revenue for local municipalities. I thought that with redistribution coming about we could also change some of the names of the ridings. Why not try to nail down every dollar that's available? I know the Speaker is a businessperson of renown. He knows that when there's a dollar there you've got to go for it.

Mr Bud Wildman (Algoma): The member of Canadian Tire.

Mr Colle: I notice they're building a new megastore, by the way, at Keele and St Clair. It's a wonderful store.

I thought maybe Essex South could become Heinz Ketchup, so the member for Heinz Ketchup instead of the member for Essex South. The member for York Centre could be the member for Palladini Lincoln Mercury. Every time, there would be more advertising. I thought maybe the member for Niagara South could be the member for Casino Niagara. Will he please stand up. You're generating revenue this way. I thought maybe the member for Wilson-Heights —

Mr Ron Johnson (Brantford): Help me. Brantford. What am I? Come on.

Mr Colle: The member for Brantford, Colborne Street; I'm just trying to think of Colborne Street. The member for Kresge. No, I don't know. Is Kresge still on Colborne Street?

Mr Ron Johnson: Kresge is still on Colborne Street.

Mr Colle: I know. Colborne Street one day will have a renaissance, and I'm sure you'll be part of it.

The member for Wilson Heights could become the member for Kwinter's Sausages. Will the member for Kwinter's Sausages please stand up. Again generating —

Mr Joseph Spina (Brampton North): What about the member for Oakwood?

Mr Colle: I've got nothing in my — I was thinking the member for Fort York could be the member for Sai Woo, so he could stand up. Those are some I thought of.

There's a lot of history, but there's a lot of money. These are some ingenious ways for municipalities — Hamilton could become Stelco. "Where do you live?" "I live in downtown Stelco." You can imagine the Stelco Tiger Cats; I don't know what they'd call them. These are some ideas, perhaps, that the minister will have to throw out because of the shortages —

Mr Wildman: That's why I'm the member for Algoma.

Mr Colle: Algoma. You're already ahead of the trend here, the member for Algoma. He's progressive. He's way ahead of the pack on this.

Getting back to the bill itself, the bill deals with frameworks of how municipalities could be better run, that elections can be run more effectively and more efficiently and attract more people.

In terms of recounts, some of us have seen the recounts. I've been through recounts myself, and some of them have been nightmarish. I think there's a need to clarify the recount area.

There was one in the city of Toronto that went on for a year and a half that I think cost a couple of hundred thousand dollars. That is not serving democracy. It adds a lot more cynicism and frustration to the process. I certainly applaud the minister for trying to rectify it. I'm not sure whether he has done that, because there's always a recourse to appeal to Divisional Court etc. That went on in Toronto, and it was a really frustrating experience for everybody involved in it, especially the voters who had to wait a year and a half to find out who their member was.

That area has got to be addressed because recounts happen and you can't escape them. There's got to be a better way, and maybe this is the better way. But it seems that every time we change the laws and try to plug a loophole in recounts, someone comes along and there's an appeal process and we start all over again. It would be interesting to see whether we bring some sanity to recounts in this area.

Another area is in terms of the whole process of transportation. My understanding is that the ministry has withdrawn the local transportation section of the act. I'm not sure whether he has done that, but there was discussion about him doing that.

One concern I had was that this is one of the real challenges all governments face at the local level. We've certainly seen what's happened to the Wheel-Trans situation, where the Toronto Transit Commission had to find an extra \$4 million to try and meet some of the unbelievable demands for transit for the disabled. I think municipalities across Ontario are facing that challenge

because there is a reality of demographics. There is an aging population, and generally speaking, people who are aging tend to have more problems with mobility. That's a fact of life. This is not going to end and it's not just a Toronto problem. Municipal local transportation is a critical part of the life and vitality of a city or town. The minister attempted to introduce a program as part of the solution, but it seemed to be quite cumbersome. I don't know what the plan is now, but this is a need that is apparent in every major city and certainly all the smaller towns in terms of how to provide affordable, accessible transportation for all their citizens.

The living proof of how transportation works for the betterment of local government is that if you take an aerial look up Yonge Street you'll see the development that has occurred up Yonge Street since 1950. It almost follows the subway, so that brought more tax dollars into Metro, more business and there's a thriving community around the businesses. When you invest in transportation you also invest in business. You invest in neighbourhoods and communities.

With the withdrawal of that section, I'm not sure what the government will do now, because every city is crying out for better transportation. We can't stand still and hope on a wish and a prayer that somehow the transportation problems will be solved through some kind of indirect fashion. I think the government has to take a very serious look at how it's going to invest in public transportation, because no matter how much you invest in the automobile and in roads, there is no solution in itself. You have to have a balanced and sometimes an investment strategy beyond just roads, into public transportation, because that's the only way you're going to alleviate congestion. You could probably build another two or three 407s and still not alleviate the transportation gridlock here in the GTA.

You have to have an investment in some form of public transportation, whether it be heavy rail like the GO system, whether it be bus systems, streetcar systems or a variety of new initiatives from smaller entrepreneurs. Local government cannot survive and cities cannot survive without good Main-Street-type transportation.

Take a look at Queen Street in Toronto. I ask the members who are from Ottawa and Guelph and Mississauga to take a ride on the Queen Street streetcar one day. I know my colleague from High Park-Swansea has ridden it many times. He will tell you —

Mr Shea: That's where we should have built the next subway.

Mr Colle: Yes. He had advocated a subway on Queen Street and he was probably right, if they had listened to him years ago.

That kind of investment in Queen Street, one of the oldest streets in Metro, in Canada — it is a working, viable, attractive, exciting, interesting street that Colborne Street in Brantford will be like some day. Look at how it works. I ask the member for Brantford to go there and see Queen Street from the streetcar. You will see small shops, small restaurants, big stores like Eaton's, the Bay, the mega-banks, but you will also see the small, little apartments, and living side by side with the Queen Street streetcar, people who go fishing. I know you won't

believe this, but I've seen people with pails of fish on the Queen Street streetcar. They go fishing at either end, take your choice: carp from the Humber or carp from the Don, but it's still good fishing, the sport of it. They're on the Queen Street streetcar with a pail of fish, along with the business men and women in their business suits and business attire, along with the seniors and students. They're all on the Queen Street streetcar. That streetcar, that transportation system, the public transportation system on Queen Street, makes that street viable.

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Mr Ron Johnson: That doesn't sound like trout.

Mr Colle: There are no lake trout in the Humber any more. There are salmon in the Humber. Someone caught a 40-pound salmon just at the mouth of the Humber this year.

Hon Rob Sampson (Minister without Portfolio [Privatization]): On a streetcar?

Mr Colle: He didn't bring it back on the streetcar. Just the carp are allowed on the streetcar.

In terms of public transportation and local government, again, there is now a gap in this legislation. I'm not sure what the next move is going to be, but I'm encouraging the government to come up with a strategy to make it easier for local government to build effective, affordable transportation systems in all cities and towns across Ontario. I know you will get a return on your investment, not in the next year or two years; the investment comes back 10, 20 years later. Again I give the example of Queen Street as proof of that. I give the example of the Yonge Street subway. I give the example of the Bloor Street subway.

Initially the investment in that kind of infrastructure is quite prohibitive and seems to be large, but I think prudently you can invest in public transportation and get that money back, not only in terms of good transportation but you'll get it back in increased tax assessment and better neighbourhoods. Some of the most vibrant neighbourhoods in Toronto are along the Queen Street streetcar line, the King Street line, the St Clair line, up and down Lansdowne. That's where people live: where there's good transportation. You don't have to have as many cars, so the parking problems are still there but they're not impossible to live with. What makes it livable are reasonable degrees of investment in public transportation.

This Bill 86 I think attempted to do that, but I guess they felt there was a problem with their initiative here on the community transportation action program and they stepped back. I am just encouraging the government, the Minister of Municipal Affairs and the Minister of Transportation to come back with a new strategy that will meet the needs of our cities and towns for public transportation and will also certainly take a proactive role and not do the finger-pointing about who's to blame for not having transit for the disabled. I think this government has to recognize that they have a serious role to play in making sure people in our community who can't take regular transportation are allowed to be mobile, to shop, to go to doctors, to visit their family —

Mr Ron Johnson: To fish.

Mr Colle: — and if they want, to engage in recreational activity, fishing or playing chess at the local community centre.

One of the areas I'm most concerned about is what is going to happen to transit services. I know in the GTA mayors' recommendations, they're very strong in calling for an integrated transit service in the GTA, certainly. I hope that is part of the initiative, that we have a blended system whereby people can go from different authorities throughout the GTA, and in cities like Ottawa and Hamilton. That would be very important.

In terms of the thrust of this bill, there has to be a recognition that many municipalities today, as I said, are under a great deal of economic stress. There is a questioning out there. They are wondering, "What will the government do next?" In Ottawa, in Hamilton, in Toronto, local ratepayers do not know what kind of property taxes they're going to be paying. Local ratepayers do not know if their city hall is going to be turned into a museum. They don't know whether their city hall is going to be boarded up. I know the wonderful city hall in East York, just built a couple of years ago, a beautiful little building off Mortimer, I think it is, it would be a shame to make that into some kind of — who knows what? — Mandarin restaurant. What will they do with it? I don't know.

These city halls all across Ontario are on pins and needles because Bill 86 does not answer the problems at all. Bill 86 pretends to try to solve their problems. It takes one step forward and two back. Every elected municipal official and school board official and ratepayer association has thrown their hands up in confusion, because the Common Sense Revolution didn't talk about bigger government. It didn't talk about amalgamating the whole province into one big mega-mess. It talked about smaller government being more effective and efficient government.

I don't know, again, how this can possibly help smaller municipalities, cities at the local level. I wonder, as I've said, if you're going to wipe away a city like Toronto, about 200 years old, gone, blended into the mega-monster, eaten up by the mega-monster, all the traditions, the heritage — you heard the member from Scarborough-Agincourt. He was here today and he mentioned all these great citizens of Scarborough. Arthur Hailey, the author of *Airport* and all these excellent books was a citizen of Scarborough. He used to live on the Scarborough Bluffs, a fantastic neighbourhood. Now the mega-monster will probably eat —

Mr Ron Johnson: Swallow it up.

Mr Colle: Swallow it up and spit it out. Cindy Nicholas, the great swimmer, another great citizen of Scarborough: Will she get a chance to participate in government once the mega-monster swallows up Scarborough? Will there be another medal ceremony for honouring these great citizens of Scarborough once the mega-monster bulldozes and, as I say, devours local government?

East York: Talk about local government, if you want to see local government — and again, I'm an outsider; I'm from the other end, in the city of York — if you want to see citizen participation in local government at its best. Even when the Minister of Health, the minister of everything, was the mayor, it was a great city to be involved in at the local level. It's a city of 100,000, the size of Kingston.

Mr Dan Newman (Scarborough Centre): It's a borough.

Mr Colle: It's the last borough. You can imagine what would happen if they were to swallow up Kingston. But there's East York, 100,000 proud citizens in that borough who are proud of their little homes, which they keep spotless, just like in Ottawa South or along the Glebe — beautiful little places. What will the mega-monster do to these fine little neighbourhoods and streets? What happens in local government?

Mr Garry J. Guzzo (Ottawa-Rideau): Talk about the fish in the Rideau Canal.

Mr Colle: Actually, I used to skate on the Rideau Canal. We used to play hockey on the Rideau. Every winter we'd have a hockey game there, up and down the Rideau. That will probably be gone if Ottawa becomes a megacity. They'll probably pave over the Rideau Canal when this minister gets through with this mega mania. That's what they'll do, pave the Rideau Canal; more history paved over, disappearing.

Is Oshawa going to be swallowed? Oshawa, Whitby, are they going to be megalomonerized? The very fabric of local government which Bill 86 tries to protect is going to be absorbed into bigger and bigger entities.

We have seen what has happened in the Soviet Union when you get that big: You lose touch. This over-centralization doesn't work. You have to make changes and protect what is good in local government, but to have this one-size-fits-all approach is dangerous.

Some cities perhaps need changes. We know there are some municipalities, some smaller towns, that maybe should join together to be stronger. The problem is, this is going too far, too fast, trying to join everybody together. It's like shotgun politics, shotgun government: "Whether you like it or not, you'd better join together or else here's what you get." That's not the way the local government came out of the grass roots of small towns; Muddy York, for instance. It came from a small group of interested citizens who fought for better government, representation, participatory democracy.

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That's what Bill 86 should be strengthening, but I wonder what Bill 86, along with the mega-legislation that's going to come next week, will do to our heritage, our neighbourhoods, our streets, our sidewalks, our community centres, our little parks. Will the local ratepayers be able to knock on the councillor's door or will you need a limo, a lawyer or a lobbyist to go see your councillor? I think that's what this mega mania's going to do. It's going to make a lot of lawyers and lobbyists very rich because you'll need these people to go see your councillor, to go see the mayor. Can you imagine the mayor of 2.3 million people? That won't be a mayor; that'll be like a mini- or junior Premier.

Mr Bradley: It'll cost you \$1 million to get elected.

Mr Colle: Right. You'll probably have to be very wealthy to be elected councillor. For those of us who started in local government, you could start a campaign for \$500. Now you'll need \$50,000 to be elected if local governments are destroyed and decimated. This is what this mega mania's going to do. This is what Bill 86 doesn't protect against.

It says it's going to do something about local government and all it's doing is that it's like the setup pitcher; you know, it sets you up and then they're going to mow you down. I can't really accept this bill as being good for local government. The fact is that it goes into that changing of the date from January 1 to April 1 because they know that with the mega-bills they're going to need this date so that they can get this through by second reading and then, instead of people being registered January, this bill will allow them to be — so this is a setup for the mega-legislation.

I warn all of you who are interested as taxpayers in local government that has worked well. Certainly local government sometimes is very frustrating. There are a lot of ratepayers and a lot of meetings and a lot of bylaws. I read where with this mega-proposal they're going to have to amalgamate 16,000 bylaws in Metro Toronto.

I was talking to Andrew Paton, a noted municipal lawyer here in Toronto. He remembers when they were amalgamating some of the smaller cities back in the history of Metro. He said it was a nightmare then with a couple of thousand bylaws. Now they're going to have to blend 16,000 bylaws in Metro.

What will they do? They'll take this one-size-fits-all approach, and when you do that you know what you're going to jeopardize: local identity and local involvement. One of the things that makes cities so livable is that they're all a little different with their nooks and crannies. There are differences. They're not like in Albania where you've just got these concrete block tenements. If you go to East York, if you go to Hamilton, if you go to Ottawa and Vanier — there's a beautiful example of local government, Vanier.

Mr Guzzo: Eastview.

Mr Colle: Eastview, right. Montreal Road, Eastview, Bathgate, all those streets. There's an example of a beautiful little community, Eastview. Now, as you know, the talk is about mega mania. We have to swallow up Vanier, and all its history and all its culture and all its good people will now be part of this megacity called Corel Centre, I guess they're going to call it. They're going to call it Corel. What does that do? What will the people from Eastview say: "Am I still one who counts? Will my vote count when I go to vote? Does it count more when I go and vote for one of the Grandmaitres in the municipal elections in Eastview or does it count more when I have to vote for the mega-mayor of Corel?" You can imagine who the mega-mayor of Corel will be. Whit Tucker may run for mayor of Corel Centre; I don't know who's going to run. Maybe Dave Thelen, one of those greats from Ottawa's past, may run.

The point I'm making is that Vanier, Eastview, is an example of a small city which is about to be swallowed up by the mega mania, just as East York will be swallowed up. That is not to say that progressive people aren't in favour of change and adjustments. There have to be changes.

Mr Guzzo: What about Chiarelli? Is he not running?

Mr Colle: I think one of the Chiarellis will run; maybe Ron Chiarelli will run. I don't know. Maybe his cousin will run. His cousin used to run one of the finest sporting stores in Ottawa, right there on Main Street. I used to buy my hockey equipment there, but the shin pads were al-

ways thin, though; I used to get a shot in the shins. We used to have the Eaton's catalogues at that time.

Anyway, getting back to small cities, perhaps Vanier or Eastview — the real name is Eastview — will want to be part of a bigger city, but you've got to give people in the smaller cities a say in it, just as the people in East York, York, Scarborough, North York, the city of Toronto and Etobicoke want a say. In other words, they want to see whether their property taxes will go up or down. The government is saying: "Trust us. Your property taxes will not go up." Then they say, "The services will be the same."

I know it's going to be pretty hard to match the service level in the city of North York. There is a bigger city. I would say that if you want to look at a clean city of that size, there are very few that match it in terms of the cleanliness, the efficiency and the level of service in North York. When you swallow North York up, will the service level then go down? Where will they find the level? What will happen to property taxes? What will happen to services? What will happen to the accessibility to local councillors? You can see Mel Lastman walking up and down Yonge Street. He's in the square almost daily. He's on TV all the time. He's got his talk show. They can approach a mayor like Lastman; they can approach Mayor Prue of East York; the mayor of Vanier I'm sure is very approachable. But try to approach a mega-mayor. As I said, you'll need a limo, a lobbyist and a lawyer to go see them. They won't be approachable. You know what it's like in your own back benches. You try and go see the Premier and talk to him.

Interjections.

Mr Colle: I don't want to cause dissension within the ranks, but they understand how much work the Premier has on his table, so they understand how busy he is.

I ask members across the way, is it local government when it's 2.3 million people? It's no longer local government. It's basically the same size as the province of Alberta, and they've got a Premier named Ralph Klein there to run a province that size. They're saying that in Metro it'll be okay. We'll have somebody — His Honour David Crombie or whoever it will be — be the mega-mayor. If you've got a problem with a pothole — and local government is about potholes; local government is about getting your garbage picked up; local government is about keeping your streets and sidewalks clear of ice and snow.

In fact, I ran into a lady on St Clair the other day. She was walking her dog and she said, "You know, I'm so happy that I can phone my councillor in the city of Toronto." I won't mention his name. "He answers the phone, and when the ice builds up on the sidewalk along the street, he sends the crew out there and they do something about it." She's a senior who walks the dog every day.

You can imagine in the new megacity if you try to phone the councillor, you try to phone the mega-mayor and say you've got ice on the sidewalk or there's a pothole or your garbage hasn't been picked up. The mega-mayor will probably have you in voicemail hell for about a month before he even gets your call — or she; she could be a mega-mayor. I don't know what you'd call her.

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Ms Castrilli: Czarina.

Mr Colle: A czarina. The czarina or czar, yes, right.

Interjection.

Mr Colle: I'm just trying to get a cue from the member for St Catharines whether he's —

Mr Bradley: I'm just about ready.

Mr Colle: Okay. Anyway, in all sincerity, and I think all of us here represent different towns and cities across Ontario, we all do believe in, really, the contributions local government has made. We can't disagree that strong local government is the backbone of this great province. It hasn't been just because of the federal and the provincial government; the greatness of this province comes from the neighbourhoods and from the small governments that have really built it up from the ground up. It's not the fancy stuff; it's the day-to-day management of the little things. If you take care of the little things at the local level, we will have good neighbourhoods, good cities and a great province.

When you start jeopardizing the vitality and the viability of local government, you are risking, endangering, something. The rest of the world looks at us and says: "What a wonderful place Ontario is. Your cities, your towns, your counties are places I would live in at the drop of a hat." That has taken, again, a couple of centuries to build from the ground up. I worry about bills like Bill 86, which do not recognize that kind of contribution enough. I worry about what's to come, the megadeluge that's to be thrust upon these cities, the swallowing up of these local traditions.

I ask all of you on the other side to remember that it is critically important to understand that local government needs your support more than ever, because if it disappears now, it will take a generation or two to bring it back. It will take the Soviet Union another 40 years to rebuild their infrastructure because they didn't take care of local government. Don't make the mistakes of Joe Stalin, don't make the mistake of the czars. Do something that is typically Ontarian: Preserve the small, preserve those things that work. Make your changes, but don't make them with a steamroller and a bulldozer. We want change, but we want it constructively. Give people a say in the changes. Don't let them dictate the changes to government. If you cooperate and do it in partnership, some of the changes will come about. But don't try to ram it down their throats. Let people have a say before you destroy local government.

The Acting Speaker (Mr Steve Gilchrist): Further debate?

Mr Bradley: If this didn't happen at the beginning, I would ask permission to complete the remarks for the Liberals.

The Acting Speaker: The member for St Catharines is requesting unanimous consent to divide the speaking time. Agreed? Agreed.

Mr Bradley: Thank you kindly. That's very kind of members, because they have heard one or two speeches in this House over the last couple of weeks, and it's very kind of them to indulge me further. I know they will forgive me if I happen to repeat some of the themes that might have been in some of the other speeches. It's nice

to see the member for Scarborough East in the chair this evening, looking very distinguished, I might add. I think a round of applause is due for him.

A municipal bill is a good bill because it allows so much latitude for discussion. That's how I managed to convince the Speaker to begin with that there may be some latitude. But this bill is benign in parts of it, it is positive in parts of it and it has some worrisome aspects to it, so it's probably typical of many pieces of legislation that have come forward over the years.

I want to deal with elections — there's a section on elections in the legislation — and the reason I do is because I think that the provisions found in here may be troublesome to a certain extent. I mentioned on second reading that I could not be considered to be a technological whiz by any means. I see that you can phone in or mail in ballots. I know we're trying to have as much participation as possible. I think a better way of implementing this probably would have been doing so on a pilot-project basis to see if it works, because I'm worried that there could be some fraud that would take place as a result of the phone-in or mail-in ballots. I don't know how you verify it. Probably the Minister of Municipal Affairs and Housing or someone else has explained partly how this could work, but I do have that concern that there may be some fraud possible with the phone-in or the mail-in ballots. I know some people at the local level, the municipal clerks' offices, have some apprehensions about that. But perhaps that can be overcome. I'm not certain on that, so I don't want to be overly critical.

It says municipal enumerations at every election are no longer required. As long as everybody can get on the voters' lists and it can be done quite easily, I don't see a great problem with this, because that is a cost, and increasingly, interestingly enough, it's difficult to get people to do this job. Those of us in politics can remember when this was considered to be a plum, an enumeration job was considered to be a political plum that political parties could provide to various people who were supporters. Today you find more often than not that it's more difficult to get people to take on these responsibilities. The number of people who are available and who are qualified to do the job is down somewhat compared to, say, 20 years ago.

There has been a lot of talk of a permanent voters' list. My only problem is that I hope we don't go to an American system — and I don't think we are — where people have to register to vote. Here, we are automatically placed on a list or we are asked if we would like to be placed on a list. In the United States, people have to register, and of course people with means, people who have money and influence and, I might say, interest, are those who are bound to register, and those who may not have a preoccupation with politics or may be preoccupied with simply making a daily living, people usually in lower-income areas, don't tend to register as much as people in higher-income areas. I would simply want to ensure that we had a fairness there, and I think that can probably be worked out.

Automatic recounts based on the closeness of a vote are eliminated. We've had some horror stories in this regard, but they are relatively few and far between. I

think, in fairness, that a recount is useful. I don't know what the bill says, to be honest, about how you would trigger a recount, but when it's very close, one would anticipate that it would be wise to have a recount to ensure that the person who received the most votes in fact is elected.

The part that I find particularly troublesome under the section dealing with elections is the one that says the provincial Commission on Election Finances will no longer be responsible for overseeing municipal election finances. We've got some improved laws over the years at the federal and provincial level dealing with election financing, that is, both including how people can spend money and how much, and, second, how much a person or a political party or organization can raise for election purposes.

It's wise to have those limitations, because those limitations, while they don't guarantee this, tend to work in favour of not allowing the person with the most financial means to have an unfair advantage on others. Now, we don't live in a perfect world and there are elections where some people spend substantially more than others, but at least there are some limitations — I think that's positive — and second, there's some careful scrutiny of who gives money to those who are candidates, or political parties in the case of political parties. That's good to know, and it's good that this amount, by the way, is limited, so that one person or one company can't give \$15,000 to a specific campaign in a specific, in this case, district of a city, or we might call it a ward of a city, or perhaps city-wide. I think that's important to have those limitations.

I actually think the provincial Commission on Election Finances does a good job in this regard, has for a number of years. When I see that it's no longer responsible for overseeing municipal election finances, I become somewhat concerned about that because I believe that it becomes a hodgepodge of administration and that we could see some great difficulties.

1920

It says only campaign surpluses over \$500 are required to be turned over to the clerk or held in trust for the next campaign. I suppose that's not a bad figure. If you'd said that 25 years ago, \$500 in terms of the amount of money in a campaign would probably have been quite substantial and you would want it returned. I think what you're trying to do in this is get away from unnecessary administration, and this seems to. I guess you could say a lower amount, but this doesn't seem to be outrageous that you would include this in a bill.

Overall, I am concerned with the way money is spent in campaigns. This gets into something the member for Oakwood talked about, and that was making communities bigger or cities bigger. The larger the district a person has to run in — a megacity, for instance — the more money it's going to take to win that campaign. There are people who have suggested to me that the Conservatives like this because they tend to be more successful in a community when people are running city-wide compared to wards, or region-wide compared to individual communities, that if you look around various places you'll find that Conservatives tend to be more successful

because they tend to have more money to spend. I don't know if that's true or not, but that seems to happen a lot of places.

In St Catharines, we have more Conservatives sitting on the regional council, for instance, which runs city-wide, than we do sitting on the city council, which is elected by wards. That may be pure coincidence, but it seems to me when I look in Metropolitan Toronto, the elections take place and they seem to elect a more right-wing group in Metro and a more centre or centre-left group in the city of Toronto, for instance, where there are smaller wards.

So I can see there might be a political motivation in this. I hate to be suspicious; I just don't want to be. But you'll forgive me if I see a plot of sorts in that.

Mr John O'Toole (Durham East): Conspiracy theory.

Mr Bradley: Conspiracy maybe.

Interjection.

Mr Bradley: The member for Brampton South mentions Olivia Chow being re-elected. I don't know what that means. I guess Olivia Chow is not a person he agrees with in terms of his political philosophy. Knowing what her philosophy is, I think she would be poles apart from the member from Brampton.

I want to say as well that I see you're in a problem with assessment, because it says under Bill 86 that assessments that would normally be required to be carried out in 1997 are delayed pending the province's broader reforms to assessment policy. Some people who know the Toronto area well tell me that what this is all about, in fact, is assessment, that what you're really into is trying to change assessment by changing boundaries and that the real clump of feathers will hit the fan when we get into a situation dealing with assessment.

It says that the Municipal Act has contained a traditional provision allowing ratepayers to petition for an inquiry into municipal conduct, subject to the approval of the minister. Bill 86 removes this appeal investigation provision, which most municipalities will support, although some ratepayers' groups may oppose it. This inquiry provision was used in the past to uncover administrative abuses in certain communities.

Again, I can understand this. This is consistent with the government's stand on the Wilson affair, where you don't want an inquiry. What you want in this case is the narrowest form of inquiry, which is the information commissioner.

I think it is good to have a provision. I know it can be used in a vexatious manner, and I don't like to see that. It's difficult enough to try to govern and to try to do a good job as an elected representative without people unfairly nipping at your heels. Nevertheless, the minister did have the discretion to deny an appeal for such an inquiry into municipal conduct, and I think that was a safeguard. That is eliminated, and I think that's a bit of a sop to people who know that you are doing them in in other ways; for instance, by providing less money.

It talks about municipal debt and investment. My friend the member for Oakwood pointed out that municipalities are going to have to get into greater debt now because more and more responsibility is being transferred to the municipalities without the accompanying transfer

payments from the provincial government. So it is anticipated by this bill that they will get into more debt and the provincial government will look good. They will say, "Look at our debt. Our debt is diminishing considerably," but the debt of the municipalities will be increasing.

I explained this during Bill 26. It was interesting during the hearings on Bill 26 in Niagara Falls — and you were wondering how I was going to get the tax cut into this. I asked a representative of city council who was making representations that sounded pretty favourable to the government: "Do you understand that the provincial government is going to borrow the money to give a tax cut which would benefit the most wealthy people in our society to the greatest extent? Do you understand that they're going to give a tax cut on the provincial income tax, which is the most progressive form of tax because it takes into account a person's ability to pay?" In order words, if you or I are unemployed in a year, Mr Speaker, and our income goes down, we pay less; if we're fortunate enough to be making far more, we pay more, ordinarily. So that's a progressive tax. You're going to give people a tax break there, but you're going to transfer obligations to the local level in the form of either user fees or the municipal property tax, neither of which takes into account a person's ability to pay.

Again, look at an example of unemployment; it can happen to anybody. A person might be unemployed in a particular year. That person might pay \$3,000 a year in property taxes in a municipality, and that person has to pay that regardless of his or her personal financial circumstances or income in that year. So every time you raise the property tax, you raise a regressive tax. The government House leader, who was the mayor of East York, would understand that better than anybody and would be sympathetic to the argument I'm making.

Applause.

Mr Bradley: I should tell the viewers at home that it was an exchange of Speakers in this case that prompted the applause, not anything I said. The member for Scarborough East was being accorded a warm round of applause by all and sundry. Either that or the applause was for the new Speaker, the member for Perth, who was assuming the chair.

Not to be distracted from my line of thought — I think I was in the middle of the tax cut at the time — I said to him: "Do you understand this? Would your council have submitted this brief, which sounds fairly favourable to Bill 26, if you knew this was happening, that they were borrowing money for the tax cut and cutting the most progressive tax and putting it on the most regressive tax?" The person who was there — I don't want to mention the person; I don't want to embarrass them — said, "No, I didn't, and our council probably wouldn't have supported it."

It shows you how many people are not aware that you are borrowing \$5 billion a year, paying interest on that, to give a tax cut that bank presidents are applauding because they get hundreds of thousands of dollars in additional funds and the person at the lower level gets even hundreds of dollars — if it's at the lower end — and loses a lot of services.

A very rich person can have his or her children go and play hockey and have the league or the group pay \$100 or \$200 an hour, but people of modest income, their children are not in the same position to enjoy that. So what we do is we polarize the province. We make it so that if you are wealthy enough and privileged enough, you enjoy the amenities of life — recreational opportunities, for instance — and if you aren't, well, that's just too bad.

1930

I've said in this House on many occasions that we can't provide everybody with a luxury home, we can't provide everybody with the best automobile they can have, we can't give everybody an expensive 54-inch television set, but we can provide for basic services, particularly for the vulnerable such as children and elderly individuals. It seems to me we're moving away from that even within the provisions of this bill.

At the insistence of the two opposition parties, the section on community transportation has been removed. I know the brothers and sisters who are members of the Amalgamated Transit Union across the province were concerned about this provision because they felt it could place in jeopardy the local municipal transit systems. What I see underneath this, of course, as members would probably agree, is a plot to privatize. They're really trying to get out of municipal transit and privatize it somehow.

I was at the opening of the new bus terminal in downtown St Catharines, which is the heart of the city. I'm glad it's in the downtown. It's for the buses belonging to the St Catharines Transit Commission and those which travel from community to community. In our case, Greyhound and Trentway-Wagar would be the two that would be involved in our community. They were there to join in an activity which was positive for everybody. But again, people who have automobiles, people who are able to travel independently, don't worry as much about public transit as those who rely on it. The manager of the transit commission, either that or the chair of the transit commission — one of the two; I can't recall — mentioned that 15,000 people a day in the community of St Catharines, which has about 130,000 people, would be found in that bus terminal at some time or other. I thought it rather important that we provide that service.

I know you can say you subsidize it but, thank you, you also subsidize the highway I drive on by spending a lot of money on its upkeep and its widening and its cleaning and its maintenance. So it seems to me that's a good investment by government, the investment in municipal transit. I have been encouraged by the number of people I see who previously were homebound who now have the opportunity to travel, as others do, through Wheel-Trans and other special ways of transporting people who have disabilities of a physical nature. But we're seeing cuts to that coming from the province, and again vulnerable people are suffering as a result of this.

There are other provisions which are rather interesting. One is municipal liability. Again, we don't want to get into the American system where if somebody sneezes on a sidewalk, there's lawyer standing there to assist the person with a legal action against the municipality. On

the other hand, there are circumstances where municipalities might be legally liable, and I hope we don't overly restrict that liability where the municipality doesn't carry out its obligations.

I can again understand why this is contained in the bill. My friend the member for Algoma can probably understand. My friend the member for Oriole, who is beside me this evening, as a former municipal elected representative would understand that if municipalities have fewer resources because of the cuts from the provincial government, those municipalities may be in a position where they cannot keep up their roads and other property and they're going to be more likely to have people incur accidents as a result. I think that's what's behind this.

Again, I would like to have seen more debate on this, but some of us have had to preoccupy ourselves with the closing of hospitals in our communities. I was reading the Sarnia Observer the other day. The headline said, "Boushy Blasts Health Minister." Now, there isn't a Health minister to blast at this time.

Mr O'Toole: Dave Boushy's not here.

Mr Bradley: He's not here? Oh, I'm not supposed to say that. But I just want to compliment him on having the intestinal fortitude to speak to his local newspaper and to say this. I'm not trying to cause him problems with the Premier. I don't think the Premier will read the Hansard — although he can afford it. A lot of people who can't afford it because they don't have computers will be out of luck, but I think the Premier has a computer, and he might see this. So I will put this down, because it is a problem.

That reminds me — I must get into this — I was discouraged by that decision because I know there is a long list of people in this province who want a subscription to Hansard. I know many, many people, they're lined up for this, and now you're saying they have to have computers and the Internet and that means they have to have more money. Poor people won't be able to read Hansard and only rich people will be able to read it because it will be on the Internet or they'll be charging a huge amount at the Publications Ontario bookstore and you'll have to order it every time something happens.

I want them to be able to read the speeches that are made in this House by various members. I want them to be able to know that the member for High Park-Swansea led off this debate this evening and what he had to say about this piece of legislation. So I must, as I do so often, lament an action on the part of this government.

I did mention the closing of hospitals. I know our municipalities, while they're interested in this bill and how it might impact them, are equally interested in the closing of hospitals.

Today, I can tell you, the local hospital restructuring commission brought out a report which opened the door for the closing of the Hotel Dieu Hospital in St Catharines and radical changes, if not the closing, to the hospital in Port Colborne and the one in Niagara-on-the-Lake. There's nothing that sends a chill through a community more than a hospital closing.

I well remember that the Premier was asked about lots of things, asked about municipal promises, and in the same debate he was asked about hospital closings. Robert

Fisher — from Scarborough, which will disappear under the megacity — during the leaders' debate in the provincial election asked the now Premier whether his promise to protect health care meant he would not close hospitals. Here's the Premier's answer. This is right from the transcript of the debate. This was on television for all to see. I think I had neighbours in my neighbourhood who voted Conservative because the Premier said this; I can't think of another reason they would have, but this is one they probably did. He said, in answer to Robert Fisher, "Well, certainly I can guarantee you that it's not my plan to close hospitals."

The people in Thunder Bay are going to be surprised by that, people in Sudbury, Sarnia, Lambton, Bruce, Kincardine, Wiarton. Wait till they come to Ottawa. I know my friend the member for Ottawa-Rideau is going to be very concerned when they close some of the hospitals in Ottawa. In Toronto, they'll be closing hospitals. All this when the Premier said he had no intention, no plans to do this.

I'm going to back to my city this weekend and say: "Don't worry. I don't think the Hotel Dieu Hospital will be closed and I don't think the Port Colborne or Niagara-on-the-Lake hospitals will be closed, because my Premier said during the election campaign, 'Well, certainly I can guarantee you that it's not my plan to close hospitals.'"

I'll hold the Premier to this commitment. I'll go back —

Mr Wildman: Jim, in the House today he just said that he had no plan.

Mr Bradley: Well, I listen to the Premier reinterpret what he said, but I know what people in my city and other cities understood by what the Premier said. What happens is this: The provincial government says, "You're getting \$38 million less to run the hospitals in your community. Now, go and tell us what you need in your community." I hear people say, "That doesn't influence what the commission is doing." I don't know what world they're living in, because it certainly does.

My friend the member for Welland-Thorold is here tonight and he would know what I'm talking about. You can't take \$38 million out of the hospital budgets and then say to a commission, "Would you come back with a report that keeps all the hospitals open?" It forces them to close the hospitals. But it's a local commission that does it, so the Premier, like Pontius Pilate, gets out the bowl of water and washes his hands and says: "I didn't have anything to do with this. It's not my fault. It's the local commission."

1940

In our area, Rob Welch is the chair of that commission, a fine young gentleman in our community who's served on regional council. He's forced to go through this process and is told ahead of time, as is the whole commission, "You've got \$38 million less in operating dollars," which means \$38 million less every year to operate the hospitals, so what I call the crackpot realism sets in. They accept what the revolutionaries say and, based on that, come forward with recommendations. They say, as I said earlier in the day, "If we're going to lose a whole leg, we had better cut off our leg at the ankle,

because if we don't cut it off at the ankle, the provincial commission will cut it off at the hip."

I worry about that considerably. I know what is going to happen, so I will be there. To the local people today, even those who are trying to rationalize this and say, "Don't you think there are some empty rooms in those hospitals?" I've come back to say I will stand shoulder to shoulder with the people of my community who want to see the Hotel Dieu Hospital, with its fine history of service, with its wonderful operating rooms, emergency area, oncology clinic, the renal dialysis clinic, all of its facilities, that I will help to keep it open. And I'll have my friend the Premier on my side, because I'll have this in my hand. I'll be saying, "The Premier said, 'Well, certainly I can guarantee you that it's not my plan to close hospitals.'"

I know the municipality, which is going to be looking at this bill — I'm sure my friends on St Catharines city council will not turn tail and run when their hospital is going to be closed. I am sure they will not do that.

But I'll tell you what's going to happen in all of your communities. This is the problem that's going to happen in all your communities: The people who don't get the axe are going to be mum or supportive. Why? Because they dodged the bullet this time, because they survived. You're not going to hear criticism from them. It's divide and conquer.

People in our area are saying, "If you have some room in the general hospital, why don't you put in there regional facilities?" In other words, today people in St Catharines have to go to London or Toronto or Hamilton to get access to certain services. The people in my community are saying: "Why don't we have those services in St Catharines if we've got some room in the hospital? Why should our people have to go all the way over to Hamilton, all the way down to London, all the way over to Toronto, to get these services?" I suspect that in many of your communities the same question is being asked.

Our population generally is getting older. In the Niagara Peninsula we have on average, and in St Catharines I can say this for certain, an older population. If you read the book *Boom, Bust and Echo*, which was first on the bestseller list for a long time — I don't know if it still is this week or whether Bob Rae's book is on top now. The member for Welland-Thorold would tell me that.

Mr Peter Kormos (Welland-Thorold): I checked out the remainder tables yesterday.

Mr Bradley: The member for Welland-Thorold did check out the remainder tables to see if Bob Rae's book was there.

What I am concerned about is that in *Boom, Bust and Echo*, the author cautions that we should not be quickly closing hospitals, that as the population gets older — and we're all going to live to a much older age than the people who came before us — we're going to need those hospitals. We're going to need a lot more of those hospitals.

Interjection.

Mr Bradley: Well, I would suggest I will still be here 20 years from now.

Mr Peter L. Preston (Brant-Haldimand): He said you'll still be here talking.

Mr Bradley: I was wondering what he was saying. Anything is possible, I suppose. But whether I have a voice at that particular time is another matter.

Anyway, those people are concerned about hospital closings, and I've heard all the crackpot realism, which I define as that you accept the Harris revolutionary message and you go from there. I think having a local commission look at all the needs in the area is a fine idea. I want to compliment the local commission on looking at and assessing all the needs in the area and how they can best be met. I want to compliment them on that. I think that's a good exercise that has to be done on an ongoing basis. From time to time, we see rationalizations so that there's not duplication of services at various health care facilities. Everybody accepts that. Anybody who doesn't accept that would be unrealistic.

But when I see huge amounts of money, \$38 million, being pulled out of the operating budgets of hospitals in our area, I know what the government is up to. It's making those very deep cuts, which many in the government caucus didn't anticipate, and it's being done to finance your risky scheme, the tax cut, which the corporation presidents are applauding because they're getting a lot of money back from the government.

While this may not be contained directly in this bill, the LCBO privatization is another issue that might have been included in this bill. Remember when they put the provision in for community transportation and the government withdrew it? I'm wondering if the LCBO might have been in this bill earlier and the government withdrew it. We know, as you would know in your community, Mr Speaker, that the LCBO has great stores. They're kept clean, there's a wide variety of product, it's well done, they're modern stores; it has a good record of keeping kids who shouldn't be getting booze from getting booze; it has a great testing laboratory to make sure there's not poison product coming out. It's excellent.

In our area, if I could be parochial, it's also important in promoting wines which are made locally. People used to — unfairly, with their noses in the air — laugh at Ontario wines. Many years ago, the quality of our wines a century ago may not have been what it is today. But the problem was that people were dismissing them out of hand. What we find out now when we have international blind tests, where you can't see what the label is — the Vintners Quality Alliance of Ontario has brought a lot of this about — we have excellent product. The best way of promoting this is through our Liquor Control Board of Ontario stores. I've given this message to my good friend Andy Brandt, the former leader of the Progressive Conservative Party and a former cabinet minister in the Bill Davis administration. A good choice, I thought, by the NDP, for chair of the LCBO.

Some of you may have been there at the press conference called by the union to present petitions. My only quarrel with those at the press conference was a quarrel I have from time to time. Having asked many questions in the House, having my colleague the member for Essex South, the Liberal critic in Consumer and Commercial Relations, making statements and asking questions and

giving speeches, the president of the union gave all the petitions to a member of the New Democratic Party. My message to those individuals is that they should not be putting all their eggs in one basket. They did that once and some of the eggs got broken.

Mr Preston: The basket got broken.

Mr Bradley: Well, I won't say the basket did; some of the eggs got broken. It's difficult for any party, no matter which party, to be able to live up to every promise when there are difficult economic circumstances.

I simply say to the membership of the LCBO union who might be watching, your president should make sure he works with people from all three political parties when asking these petitions to be presented and not simply work with one political party. That's one lesson that over the last few years some people who have been inclined to support only one party have learned.

When I was a teacher and I was a member of the teachers' federation, even though I was involved in politics, I always advocated to the people in the teachers' federation that they become involved with all three political parties; that their members who wanted to be active in politics may choose a political party and work through that political party, or have no affiliation and simply work for what they believe is the good of education. Largely they have followed that, because they have been critical of any government that's been in power, it seems to me, at some time or other, and some bear the scars of that, I think, from all three political parties in this House. I think that's very wise advice.

Nevertheless, despite where the petitions went, I hope this government will not privatize the LCBO.

This bill, like so many bills, I relate to the tax cut.

1950

I did not get a chance, you'll be pleased to know, to mention video lottery terminals and that municipalities probably will have to end up worrying about video lottery terminals, which will be found in every bar, in every restaurant on every street and in every neighbourhood in all the province of Ontario.

I'm looking forward with anticipation to the comments and suggestions and questions that come from my good friends on all sides of this House. This has been a stimulating debate. I can simply see by the enthusiasm of members of this House that they have been enthralled by this debate to this point and look forward themselves to participating further.

The Acting Speaker (Mr Bert Johnson): Questions and comments?

Mr Kormos: I'm always eager to listen to the member for St Catharines in his analysis of this legislation because he's consistent. He understands that the motive behind virtually every bill put before this House is for these Tories to pay off, to piece off, to grease their rich friends in the corporate world.

You know, for the life of me I'm eager to hear what the member for Niagara South is going to tell his folks about how he's going to be unable to save the Port Colborne General Hospital. I'm eager to hear what the member for St Catharines-Brock is going to tell his constituents when they shut down the hospital in his riding. It's his government that's doing it. I'm eager to

hear what these people, these Tories, are going to tell their constituents when it comes time to explain how a tax break for the richest justifies this evil, criminal attack on public institutions.

I'm amazed that they would still be in harmony with their Premier on these issues. But when I reflect on the fact that these are the same people who gave themselves a pay increase some short time ago, shortly after being elected, where MPPs at Queen's Park, as a result of the Tories, earn more than they did before the Tories increased the pay for MPPs, this is the caucus that almost inevitably has MPPs — take a look at the conflict-of-interest statements about how many MPPs in the Tory caucus have other jobs. I think it's interesting to consider how many of these people are merely supplementing their incomes from their law offices, from their businesses, from their group homes, are merely supplementing their base salaries.

I'm interested in hearing from people across Ontario with Tory MPPs who aren't full-time MPPs, who are but padding their own pockets with their MPPs' salaries to supplement the incomes they make from their group homes or from their law offices or from their businesses. I'd like to hear from people in these ridings because I think people in those ridings deserve far better than what they're getting now.

Mrs Elinor Caplan (Oriole): I was pleased to be here today to hear my colleague from St Catharines speak on Bill 86, which is entitled the Better Local Government Act. I would agree with him that there are some provisions in this bill which the municipalities have been asking for that I think are quite positive. There are some other provisions the impact of which I have some concerns about. The suggestions and ideas for changes in how elections will be conducted and for the use of referenda I think are issues that should have been and were debated in this House. It's also important that the municipalities know well in advance what the rules are going to be, so I understand the government's desire to have this legislation in place, because we are expecting a municipal election in November 1997.

What I found most interesting about the comments of Mr Bradley, the member for St Catharines, was his understanding of how the government policies are having an impact on every aspect of the quality of life in our communities and neighbourhoods in the province. A bill that is called the Better Local Government Act gives us and gives him an opportunity to share those concerns with all members of this House and people who are watching this debate. Certainly the government's plan to close hospitals and bring in policies that are having a negative impact on communities right across this province should be fully debated and discussed in this House. I want to compliment the member for St Catharines for a broad, thoughtful debate on an important topic. I think Bill 86 gave him the opportunity to do that.

Ms Lankin: I am pleased to comment on the remarks by the members for Oakwood and St Catharines. They raised important points around this bill and what it purports to be: a better local government bill which streamlines voting procedures and, in the words of the government caucus, "increases access to the democratic process."

But I am at a real loss to understand how the government can justify the contradiction between what it's saying it wants to do in this bill in terms of increasing access and increasing democracy and the approach it's taking with respect to municipal amalgamations. I look very directly at the member for Brampton South, who I know is a very strong proponent of referendum legislation. He's leading the government caucus through a committee process in developing a paper on referendum legislation which the government caucus is saying it supports, citizen-initiated referenda, and that it should be 5% or 10% of the population who can demand and force a referendum. We know that in the polling that's been done in Metro Toronto, 75% of the population is insisting that the provincial government allow the people of the Metropolitan Toronto area to have a say with respect to their local governance. They want a referendum in which they can say whether they want six or four, or one, levels of local government and what it means for accessibility and democracy and their voice in terms of their local level of governance.

I can't understand how the Tory caucus and people like the member for Brampton South can allow the Minister of Municipal Affairs to get away with saying that the question is too complicated, when we know they want to put questions of taxation and constitutional reform to referenda, which surely are as complicated. I say to the government caucus, please let the people of Metro Toronto have a say.

Mr Jerry J. Ouellette (Oshawa): I'd like to comment on a couple of the issues that the member for St Catharines brought forward, regarding crackpot realism and the Ontario wine industry. However, I'll deal with is the issue brought up by the member for Oakwood when he spoke about the Soviet Union and his comparison with our country and our province.

I'll summarize a short story in the time I have. We had a relative who came over from the Soviet Union prior to the breakup, at which time she found it interesting when we gave her an electric blanket to use, something they didn't have there. We made her a gift of the electric blanket and asked her to take it back. First of all, the reason we had only one member of the family was that she was the only member allowed out. You're only allowed one member out. After long debate regarding the electric blanket, we asked, was it the electricity? No, it wasn't the electricity; that wasn't the reason why. She kept saying, "No, I can't accept this." We went on back and forth and finally it came to the point where she said: "You don't understand" — this is the point I'm trying to get to here in the province — "The reason I can't accept this electric blanket is because they shut the power off in the town at 10 o'clock."

So to come forward and compare us with a country that shuts off its power at 10 o'clock really upsets me. I think we can be proud to be in the province we are in today.

The Acting Speaker: The member for St Catharines has two minutes to respond.

Mr Bradley: I'm replying on behalf of both members. My friend from Oakwood is not in his own seat, so I'll do this.

Thank you to the member for Welland-Thorold for his comments, because he recognizes what is happening in the Niagara Peninsula. I guess the reason he's wondering when the questions will come forward in the House is because he didn't hear, as I didn't hear, any Conservative candidate talk about closing hospitals in the Niagara region. Therefore he is wondering when we're going to hear those questions. So am I.

The member for Oriole alluded a little bit to a point that's important: This government, simply for the reason of ideology and to appear to be doing something, is going to have huge amalgamations of school boards. It may not save them a penny, but it'll look good. You'll be able to say to people: "Look what we've done. We've combined the school boards." If you could save a lot of money and still maintain the local contact, I'd say that's a good idea, because what you really need is that local input into the process of education. But here you are again. Just like regional government, that was going to save a lot of money; well, it didn't save a lot of money and, thank you, we don't want a mega-Metro in Niagara as well.

2000

The member for Beaches-Woodbine makes a good point. Here's a government, when it suits their purposes, some of their members are itching to have a referendum. But then when they say, "We're going to make a major structural change to Metropolitan Toronto," the minister and the Premier say: "No, you can't have a voice in this. We're doing what we want to do."

Last of all, to the member for Oshawa, in comparison of countries I think the member for Oakwood when he mentioned the Soviet Union was talking only in a general sense about the centralizing activities that took place years ago; there was centralization. Certainly he did not want to compare the Soviet Union and Ontario in any other way.

The Acting Speaker (Ms Marilyn Churley): Further debate?

Mr Rosario Marchese (Fort York): I'm happy to have the opportunity once again to speak to Bill 86. Before I begin, I would like unanimous consent to be able to share the time with the member for Dovercourt.

The Acting Speaker: Agreed? Did somebody say no?

Mr Marchese: As I said in second reading of this bill —

The Acting Speaker: Just a moment, please. Is it agreed? Thank you, go ahead.

Mr Marchese: As I said in second reading of this bill, there are a number of useful changes that this government makes with respect to changes to the Municipal Elections Act, some changes that are interesting and some changes around which we have some problems and changes which we objected to that the government has responded to. I want to make mention of that in a brief while.

I did comment that one of the changes they want to make is to allow people to be able to vote by phone and/or Internet, and I did say then, as I say now, that it's an interesting 21st-century idea to get involved in, but I also said then, as I say now, that there are some concerns around that. I'm not sure whether the provincial government is worried about it, but municipal governments will have to worry about how they deal with allowing people

to vote by phone or Internet because there is likely to be fraud.

I know some members like to think that it's not likely to happen, but municipal governments, which will have governance over these issues, will have to worry about fraud, because this leaves us open to that. In second reading in the committees, none of the members spoke about that, they didn't raise the issue, they haven't worried about the issue as much as I have raised concerns about it, but they should. Because they're going to pass this on to their municipalities, they need to worry for them and with them as they deal with this.

Interesting thought, interesting, novel idea, but we need to worry and, yes, there are a few computer-literate people that will love the ability to be able to sit at home and turn on the power and just punch it in and boom, it's easy, they don't have to go out in the cold November nights to be able to do that. So for the few of them, it's going to be a nice thing to do, to be able to have that power. But we need to worry. I raise that and I hope they are concerned about it enough to be able to work with the municipalities as they go through this.

I said they're going to make some changes around issues of changing the rules around election recounts. There have been problems in the past around this. It cost some money in some areas where there have been recounts and we agreed that they should look at that. What they have done now is to have a recount and leave that to the municipality when there is a tie vote. We think that's all right. It might save, of course, governments some money, but it will probably cost some individual members a great deal of money if there is a tie vote and they want to take that through the course of natural events and law. Where a city council decides not to have the recount, they have access to the courts, but it will cost them. Some individuals will end up having to pay some money to have that recount.

On the one hand, it saves municipalities some money because they don't have to worry about that any longer, but it will cost individuals, and not all individuals are wealthy people who can afford to take this process through the courts and bring about some remedial action where there has been, in their view, a problem in terms of how the vote might have occurred or how the count happened or some irregularity connected to it, and because not all candidates who run are wealthy, it will be a cost for those individuals who feel they have been undone by it all. So yes, it saves municipalities some money, but it will cause some problems.

On the other hand, they say the government is giving local councils more authority to decide what council members should be called and under what system they should be elected. Whether they should be called "councillors" or "alderman," all of that they leave to the city councils. That's good. They're giving city councils, it appears from this, more authority to be able to deal with issues of what councillors should be called and how they should be elected, and that's good.

On the one hand, that's good; on the other hand, as they give power to municipalities to do certain things like that, as the member for Beaches-Woodbine said when she was here earlier on, in Metropolitan Toronto we not only

have not given any authority to city councils, we are eliminating city councils in the metro area. As she had said earlier in her two-moment response to the Liberal members, while they give authority and greater authority to municipal councillors in Metro, they are exterminating councils — exterminating them. Is that right? So it is a contradiction, on the one hand, to say, "We're giving them more authority," and on the other hand, "We are exterminating the cities and the borough within the metro government." Is that right?

Interjections: No.

Mr Marchese: No, of course not. Is it fair?

Interjections: No.

Mr Marchese: No, of course not. The members on this side agree; I know that. But on the other side they haven't twigged to the fact that there's a contradiction that they've got to deal with between what they have done in the one instance and decided in the other. "Metropolitan government, we need a megacity," says M. Leach. "We need a megacity." Before he got elected, he said, "Do we need a megacity?" and he said no. In fact he argued earlier, "We're going to get rid of metropolitan government and keep the cities." That's what he said then.

Mr Wildman: Power has gone to his head. He has become a megalomaniac.

Mr Marchese: Power corrupts. It corrupts, and it certainly corrupts this minister, because on the one hand before the election he said we should get rid of Metro, but once he got elected power did indeed get into his head and he decided, "Ah, we're going to get rid of the cities."

Mr Kormos: The Tories get into his head, and a Tory in his bed.

Mr Marchese: Tory. There's an interesting connection here between "Tory" as in Tory party, and Tory, the minister's dog.

Mr Kormos: And his party is a dog.

Mr Marchese: I make no connection of that kind, no. It's just an interesting name that the dog —

Mr Colle: Back to megalomania.

Mr Marchese: But back to the metropolitan government versus city governments. So what does he decide to do for Metropolitan Toronto? Imagine, it would be a big megacity comprising 2.3 million, and M. Leach says, "That's okay to amalgamate" —

The Acting Speaker: Member for Fort York, could you refer to the minister by his riding. Don't call him by name. The rules stipulate you do that.

Mr Kormos: The minister of megalomania.

Mr Marchese: Minister Leach?

The Acting Speaker: Minister for Municipal Affairs.

Mr Marchese: Minister of Municipal Affairs and Housing? I appreciate that, Madam Speaker.

Mr Wildman: Or you could say the owner of Tory.

Mr Marchese: That would not probably be appropriate, given what the Speaker is saying. Thank you, Madam Speaker.

The Acting Speaker: Order, please. Continue, member for Fort York.

Mr Marchese: So in this instance, he says, "We think it's appropriate to have a big megacity comprising 2.3

million." That's one big, big political animal that we're dealing with here, but he says that's all right. Everywhere else he has told every municipality, "Deal with the issues of overlap, deal with the issues of inefficiency," but in Metropolitan Toronto he doesn't want to hear about all of that. What does he say about Metropolitan Toronto? He says, "Well, good God, we have thousands of reports." There are at least 64 of which he's aware. Then we say to him, "Yes, but Minister of Municipal Affairs, have you read them?" We don't think he's read them, because had he read them, he probably would have reached a different conclusion.

2010

We wonder whether or not he's referred to any study that he might have read. Somebody might have talked to him about those studies. Why do we wonder, and why do I wonder in particular? Because Mr Leach has hired a firm to find megacity savings. He's hired another person, body, company, to do him another study to help the guy out. On the one hand he says, "We have 64 studies and we've had enough and we prefer the one megacity," but the poor man, this poor government, needs yet another study. They're hiring another individual to help him out, to have something concrete so that he can say, "Here we have now, most recently, a study that talks about why we need one megacity." He needs one more study.

On the one hand he says: "We've had enough studies. We've had too many, 64 plus Golden. We've had enough." That's why our leader today asked the Minister of Municipal Affairs: "You are commissioning yet another study. How much will that cost? We want to know. Will you give that to us?" Of course he didn't answer it; he doesn't answer those types of questions. But that's why we asked him again, "If you think you've had enough studies, why do you need yet one more?"

One of the few studies that he has referred to is a study done by the metropolitan government which studied only two major components of the metropolitan government comprising 45% of the costs. Everything else he didn't touch. Of that 45% of the cost, the two main components which he studied, he did not verify those figures with city officials. We think that study is flawed.

Now, we believe that the Minister of Municipal Affairs, Mr Leach, understands this and knows that he's got nothing in his hands to go out and say, "We think there are savings here." So he commissions yet another study. But all the studies we have done have shown and continue to show there are not going to be any savings.

We have to wonder about the politics of all of this, and the politics of all of this are that originally this government realized that the people around the outside of the Metropolitan Toronto area support this government very strongly and they had some serious concerns about what might happen outside of that area. They thought, "Let's not touch the 905; let's just deal with Metro and let's get rid of the cities and keep the Metropolitan government because that will be good for us." That's what I think is behind the politics of what we have in front of us.

I also believe the reason they want one megacity is to allow this new government to privatize more and more services. Why? Because this government is going to dump a lot more on Metropolitan Toronto. Because he's

going to do that, he believes and this government believes that by dumping more on Metropolitan Toronto it will be forced to privatize services because metropolitan government will need more money to compensate for the cuts that this provincial government is about to inflict on Metropolitan Toronto.

It will be easier to deal with one megacity because, by and large, people in this metropolitan government are Conservative members like them. That's why. They are dominated in Metro by Conservatives and Liberals; yes, there are a few NDPers on that council, but it's people like them. So I suspect a number of the Metro councillors said: "Minister of Municipal Affairs, you're doing a good job. Tell us what you need, tell us what you want cut and we're going to do it for you." I believe they think it's going to be easier to deal with one city because of that than to deal with six cities and I believe the development corporations probably went around and said to Mr Leach, our Minister of Municipal Affairs: "We think it's easier to deal with one municipality in terms of things that we need and want than to have to go to the city of Toronto and Etobicoke and North York and Scarborough and East York, so please do us development people a favour. Get rid of all these cities that are giving us a hard time."

Mr Kormos: "You owe it to us."

Mr Marchese: They owe it to them, indeed, and so they're willing to oblige. Like the development charges: The Urban Development Institute, known as the UDI, went to Mr Leach and said: "Minister, these development charges are just too onerous on us. If you want us to build housing, you've got to get rid of rent control, you've got to get rid of development charges. We'll talk to you later about other things we want you to do, but right now please take out the development charges because if you do that, we're going to build some housing for you."

But you know what the UDI, the Urban Development Institute, doesn't tell him? They're not going to build affordable housing. It's not for those modest-income people. They're going to build at the high end, for the upper middle classes. That's who they're going to build for. These development people, to whom Tories owe a lot, said, "Come, Minister, please do us a favour so we can build," so they can build more profitable housing for the upper-income people who will give these development people a lot more money in return.

Mr Leach said, "That's fine, we're going to do it for you." Did he go and consult with the Mississauga mayor? You know her name.

Mr Kormos: Hazel McCallion.

Mr Marchese: That is she. Do you think they went to consult with Hazel McCallion in advance of this? No. That's where they got into trouble. Hazel got angry and said: "What are you doing? We're going to stop all development as a result. Sorry, you didn't consult us. You consulted the UDI, the Urban Development Institute, and not us, so we're going to stop all development because you didn't consult me, your Tory friend. You went to the other rich boys, but you didn't consult me." So Hazel said, "Sorry, development is going to stop in Mississauga." What did Mr Leach, the Minister of Municipal Affairs, do? I just read it today. He said,

"Okay, Hazel." He probably gave her a call: "I know you're upset. We're going to try to work out some changes as we deal with the development charges so that you municipalities will have a little more say about this."

Hazel said: "Okay, all right, we'll see. We'll talk about it. We need to see the changes first before I agree to it." What did they do? They quieted her down for a little bit. They know they've got to keep Hazel quiet because Hazel can be a pretty tough person. She can. She was tough with us. I remember my friend here saying that last night. Maybe not my friend, but maybe someone else. It could have been a Liberal. It could have been Jim who said that Hazel is a good friend of the Tories and she was upset and so on.

In any case, you guys are listening to the wrong people and you're getting into trouble. Not the wrong people; you're listening to your wealthy development friends. You've done that and that's why you moved to get some of those development charges out of the way. But you made a mistake. The reason you made a mistake is because you didn't consult Hazel, who's a good Tory, and you did not consult your other good friends in that 905 area. They were all angry and even Vaughan said, "We're not building."

All of a sudden you guys over there realized, "We made a mistake. We should not just listen to our wealthy development corporation friends. We should be listening to people like Hazel and other little Tories around that little belt," because otherwise you're in trouble.

We have a problem around this whole issue where you decided to give more power to municipalities but in Metropolitan Toronto, where it counts for us, you've decided that you were going to let your back-door friends do some of the dirty work for you: Mr Crombie, with that Who Does What panel. I've got all the pictures of all those friends of yours in that panel. I've got pictures of them all. I'll find them eventually; they're in my file. They are the backroom boys and women in that panel.

2020

Ms Shelley Martel (Sudbury East): Try this one.

Mr Marchese: Something like that, yes, very much similar to this.

The Acting Speaker: Okay, member for Fort York. You know you're not supposed to do that.

Mr Marchese: What upsets me is this: They talk about allowing a referendum to happen in between elections and no longer having to go to the Ontario Municipal Board. Now remember this: We went through this already. They want referendums. Tories love referendums. Reform-minded politicians love referendums. We know that. That is why they are in the course of introducing legislation that will permit referendums to happen.

We thought, "This is interesting; Tories love referendums," so we asked Mr Leach, the Minister of Municipal Affairs and Housing, who owns a dog called Tory, "Will you have a referendum on this megacity?" We believe it is of utmost importance that if you're going to amalgamate so many cities, comprising 2.3 million, that it is of utter seriousness that it will require to have consultations with the folks out there in those cities — a referendum.

Our leader asked Mr Leach, the Minister of Municipal Affairs, "Should we have a referendum?" because

Toronto had a referendum in the last municipal election and they said: "No, we love our city. If anything, get rid of metropolitan government." I don't advocate for that, but that's what happened in that referendum. So our leader asked the minister, "Will you have a referendum in the city of Toronto and all the other cities?" and the minister said, "Oh, no, we can't have referendums on issues like that, because it's too simplistic. It would simply be wrong to have a referendum where people are answering yes or no to the question."

But that's what Tories love; they love referendums of that kind. While on the one hand they say they want referendums and they're about to introduce legislation in that regard, in this regard they say, "This is a complicated matter, this megacity stuff, and we want people to reflect on it. If we asked them, 'Do you want a metro government or six cities?' it would be too simplistic."

It befuddles my mind when he speaks that way. It should confound him, to contradict himself so clearly. But I notice every time we go through this that they seem to live with contradictions so comfortably and cosily. They live with that, and I notice how they answer questions with such a straight face. Sometimes they say things that are not entirely truthful with a straight face, and I say, how do they do that?

Mr Kormos: Ah, mendacity.

Mr Marchese: Sometimes mendacity is the rule of law around here. On the issue of referendum, it's contradicted by what they say. Municipalities and elected boards will have the right to place referendum items on municipal ballots without reference to the Ontario Municipal Board. That's what it says. They rejected this just a very short while ago. On the one hand they want to help out municipalities and boards of education and other utilities; on the other hand we're not quite sure why they've refused our simple request to hold a referendum on a very serious matter that will involve 2.3 million people. How do they do that without public hearings, without input, without debate? They call this leadership. Mr Leach, the Minister of Municipal Affairs, says, "Sometimes you've got to lead." That's what they say. "Sometimes you've got to take the bull by the horns and lead." I find it difficult for the minister to be contradictory in the way that he is.

Another contradiction I want to speak to: David Crombie recommended eliminating the regional governments in the 905 area. He wants to replace them with a GTA coordinating body. What we know is that this government, particularly the minister, wants to whip through this megacity plan in Metro. We know you agree with his plan to nominate a greater Toronto area czar to recommend amalgamations, but we say what's sauce for the goose is sauce for the gander. We want to ask the minister, "Do you support megacities in each of the 905 regions?"

Hon Mr Sampson: That's not the way it works.

Mr Marchese: His answer is, "No, we don't." We argue you're willing to shove your megacity down the throats of the people of Toronto and other cities, but when you get into the Tory heartland and outside Metropolitan Toronto, democracy is apparently more important to you guys. Outside Metro you want to make sure you're

democratic and that you're listening to them, so you're going to hold off on amalgamating out there. Mr Leach says, "They need more time." Is that right? Well, in Metro we need more time, but he says, "Oh, no, Metro, you don't need more time." Why? Because he seems to care a lot less about Metro than he cares about the 905 area, where democracy is much more important to Mr Leach and company. He wants to discuss and debate this important issue out there, but he doesn't want to discuss and debate it over here in downtown Toronto, right here where Queen's Park is sitting, right in the heart of downtown Toronto.

Mr Kormos: How can that be?

Mr Marchese: How could it be, you ask. It's a question I ask all the time. Intelligent people, middle class and professional, in downtown Toronto are asking the same question: How could it be? Who are they listening to? What is the politics behind all of this? Is there a comprehensible argument that they've made? I say no.

We've asked the minister: "What is your argument? Prove that there are savings." The only proof they have, that they claim to have in the reference they make, is that metropolitan study that I referred to earlier which shows clearly they've only studied two small components and they didn't verify those figures with city officials. That's all they've got. That is their argument. They say, "Oh, we'll save big bucks." We said to them, "Prove it." Because they can't prove it, they are commissioning another study. We said: "Why are you doing that? You said you've got 64 studies already. Why do you need one more?"

Hon Mr Sampson: You said we have to do that, though.

Mr Marchese: I said you have to do that?

Hon Mr Sampson: That's what you said.

Mr Marchese: No, no, I beg your pardon. I didn't say that. I said you guys said that you were saying that.

Interjection.

Mr Marchese: What would be consistent?

Hon Mr Sampson: You said it first.

Mr Marchese: You see? The Tories are utterly confounded.

The Acting Speaker: Order.

Mr Marchese: Befuddled completely. That fellow who is the minister without a portfolio is confounded completely.

Hon Mr Sampson: It's right here. It's a big one.

Mr Marchese: Oh, he's got a portfolio and it's a heavy portfolio. He should be a minister, because it's heavier than the minister's bag. He's got a bag with him. Cameras, please, focus in on that bag. Please, show it again.

Interjections.

The Acting Speaker: Come to order, please. Everybody's having a good time, but this is a serious debate. Everybody calm down. Order, please.

Mr Marchese: They are tinkering with little things in this bill. One of the parliamentary assistants talks about how great it is and how big, and I want to get to some of these in a little while. They are fiddling around with the changes to the Municipal Act and there are major things going on around us. I was referring to a number of these

things yesterday and I want to get to them again today, because they are so critical. I want to get to these articles because they speak to the reality the people are facing out there as they fiddle with the changes to the Municipal Act, tinkering.

"Poverty Climbing as Times Improve." Imagine that. The times are improving and poverty is climbing. How is that, Tories? Explain yourselves, and explain that to the people. Child poverty has gone up.

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"Some facts about the poor." I want to read that to you because that's the reality the people face as all of you are smug in your seats talking about how proud you are of your achievements. As you sit smugly, reflecting on your achievements, minister with the big bag, listen to some of these facts.

"Some facts about the poor: One in three children in Metro lives on welfare," twice the 1989 rate. Almost half of all food bank users are children, up from 43,000 last year to 70,000 this year under your wonderful stewardship. As you sit smugly reflecting on your achievements, think of that.

The number of children living in Metro emergency shelters has jumped more than two thirds in the past five years. Canada has the second-highest child poverty rate in the industrialized world, 20% or 1.4 million. Reflect on these achievements, Tories, as you gloat about what you are doing.

"Hospital Cuts Threaten 15,000 Nurses." As you gloat about your wonderful desire to cut hospitals, 15 probably in Metropolitan Toronto, and that's coming soon, 15,000 nurses are threatened, says this report.

"There's more tinkering that can be done with the system," says one person. "There's no more tinkering that can be done with the system," says the Ontario Nurses' Association. Think about that as you sit smugly on the other side.

Interjections.

Mr Marchese: Reflect on this as you are babbling.

"Jobless Rate Stuck at 10%." The jobless rate stuck at 10% under your leadership, and the minister of industry and trade is right here. Under his leadership and under the leadership of M. Harris, the Premier, the jobless rate is stuck at 10%. Reflect on that as you gloat about what you are doing.

This is another interesting article: "Casualties of the Low-Wage War." As you attempt to harmonize wages downward, as you're forcing wages down — oh, please, that's what you're doing; you're doing that every day as you privatize services, as you fire people day in and day out; casualties of the low-wage war.

"We're in a race to the bottom," says one individual. "We've got more and more people putting in more and more hours for less money and less benefits."

You look puzzled as I read these, I know, because you're so surrounded by your own mischief and malodorous policies that you can't see beyond that bad odour. Malodorous. It's toxic, and I feel it daily in this assembly. I felt it today. We were wondering in the House today what that malodorous smell was all about, and the Speaker was saying, "Don't worry about it." I'm not sure what he said it was.

Interjections.

The Acting Speaker: What was that, member for Fort York?

Mr Marchese: Nothing, Madam Speaker. I was just talking about the previous speaker who was sitting here during the question period.

"Downsizing of Our Cities" is another article. It's impressive. There have been cuts to all of our municipalities in the magnitude of 43% last year and this year. This catalogues very intelligently and clearly the types of cuts this government is waging against municipalities.

Mr Kormos: Who wrote that?

Mr Marchese: I dare not say. Toronto Star. They might say it's a Liberal paper, and that wouldn't be nice.

There are a lot of casualties that we're leaving behind. With 43% cuts to the municipalities, imagine all the services that have to be cut; they're of great magnitude. Derwyn Shea was a former Metro councillor, and I think he was a city councillor for a long while as well, or both.

The Acting Speaker: The member for High Park-Swansea.

Mr Marchese: I beg your pardon, Madam Speaker. He knows that these cuts are of such magnitude that they will affect services. People are going to pay more and more for everything that they want and need — not want necessarily, but need. In the past, we might have talked about what we wanted; today we're talking about what we need. This government is slowly clawing us all down.

Oh, here's that team. Do you remember that I was talking about the Who Does What panel? They're all here. I've got them here.

Mr Colle: All Tories.

Mr Marchese: By and large good Tories.

Mr Toni Skarica (Wentworth North): Not Tories. Terry Cooke.

Mr Marchese: They're not Tories?

Mr Skarica: Terry Cooke is not a Tory.

Mr Marchese: By and large, they're all Tories. I challenge any member to tell us who else is not a Tory in this list, and they're all here. These are the backroom boys and women making decisions for us all. They unveil this malodorous onion day by day, week by week. We expect January 13 for this onion to be completely unveiled, malodorously, January 13 when this government resumes again. With the toxins that will leach out — Leach out — of this room on January 13, we shall see things that we have not dreamed of yet. Al Leach, the province's minister for mega-issues, there you go.

We have other things here. Another article: "Need for Hostels Soaring." It says that Metro shelters for homeless men are experiencing unprecedented demand. This month, 1,300 men are occupying shelters nightly, an increase of more than 20% over the last year.

As they tinker with the system of municipal affairs, we're dealing with people who are dying in the streets, homeless who are dying in the streets.

I see this article that speaks about the Minister of Municipal Affairs and Housing. It says, "Leach figures his fluffy pooch's illness and misadventures have cost him about \$10,000." Think of that. I'm heartbroken; \$10,000 for Tory, the wonderful, loyal lapdog. Come on.

Interjection.

Mr Marchese: It's sad. Why do I talk about the need for hostels? Why do I talk about seniors, which is coming up, and child poverty, which I've already raised in another article? We talk about the number of poor seniors on the rise. Why do I talk about these things? That's the reality out there. The reality is that there's a great deal of poverty and we're talking about Mr Leach spending \$10,000 for a loyal lapdog, no doubt, but people have got to wonder about that. People are wondering about that.

"Because of the cuts to social assistance, emergency shelters and legal aid, women are being forced to choose between their personal safety and feeding their children." It is depressing to talk about these things, but we need to reflect on this reality that exists out there, because in here, by and large, we are all well-to-do, and I suspect the Tories are really well-to-do. The Minister of Municipal Affairs appears to be a lot more well-to-do than me and others.

Interjection.

Mr Marchese: They say: "Come on, is it right? Is it fair?" As you inflict these things on to the general population, children, women, seniors, people with disabilities, you say we are being unfair perhaps?

Interjections.

Mr Marchese: I am happy to hear from the other side. Sometimes I don't hear them very well.

2040

This is what's happening. Here is another article that talks about "RRSP plans take beating, survey shows." What does that mean? It means people who put aside money for their future because they're worried — I'd be worried with this government. I'm terribly worried now about what's going to happen to me and my children. My children are likely to face a very bleak future, where the job opportunities are going to be very, very minimal. I see it now. I see young people with degrees, honours BAs, MAs and PhDs, unable to find a job. What do they seek out? The mini-jobs, the jobettes this government is creating. Do you think I exaggerate? I'm not exaggerating.

People are taking money out of their RRSPs and they're worried. I forgot to underline how many millions of dollars are coming out of their plans. But can you think of that? These are savings that one puts away for the future, but people are taking their money out now. Why? Because this government is cutting jobs by the thousands. They have unemployed many able people, and disabled people; not only have done so, but continue to lay off, they say, up to 15,000. We believe it's going to be in the magnitude of 24,000 by the end of this evil empire of theirs.

Some 20,000, 25,000 jobs will have disappeared in their wonderful stewardship, but as they cut billions and billions more, municipalities are cutting; all these things that these fine gentlemen smile at every day. I am in contact with a lot of different people from the various cities, metropolitan governments, staff people who are at this very moment deciding who to fire. As the government says, "The metropolitan government is getting so many millions of dollars less," people dealing with seniors and the metropolitan housing company, as a little example, are contemplating how to deal with yet another

\$3-million cut. For them it's percentages, but these other people who have to make these necessary cuts, they're dealing with people; they're dealing with human lives. The next day, they say to themselves, "How do we make the decision about whom to let go?" So as they smile out there on the other side, these fine Tory men and women, reflecting on their accomplishments, they are forgetting the poverty that's going on around them and they are forgetting the countless people who are being fired.

I know Mr Shea here, who is talking in front of me, is reflecting on that. He's reflecting on that as I speak right now.

Mr Shea: I'm trying to get closer to you. That's what I'm trying to do.

Mr Marchese: Perhaps he's not reflecting, because he's still speaking as I speak, but I'm sure as a minister he worries for the little people — "minister" meaning minister of the cloth. He worries for seniors who are getting poorer, children who are worried and —

Mr Shea: On a point of order, Madam Speaker: Can I suggest that the member keep to the presentation of the topic that's before us? Much as I appreciate references to everybody's occupations in other settings, I'd like him to really keep germane and crystal clear on the issue. Or if he's getting tired, perhaps he'd like to give his time to me. I'd be very happy to start interventions on his behalf right now.

The Acting Speaker: Thank you very much. I remind the member for Fort York to speak to the bill.

Mr Marchese: How could you speak on any bill in isolation of what's surrounding us? It would be completely foolish. It would be completely foolish to say, "Speaker, force the member to blindly talk about the bill that's before him and not dare venture out into the larger picture."

The fine gentleman who spoke before me does not want me to talk about the larger picture, the decimation that's going on around us. He would prefer the public watching not to listen to the fact that poverty for seniors is rising, that poverty for children is rising, that people who are abused don't have a place to go, and they want me to stick to the topic.

I want to get on to education, because the Minister of Education is here now, but before I do that, I want to talk about the fact that the banks, as poverty surrounds us, have made record profits. Most of them have now made over \$1 billion. They're happy as — they're happy folks. I was going to give an image that would probably be inappropriate. They're happy.

Brokers, it says here on this front page, rake it in. Imagine that. Bankers make \$1.3 billion using our money that you invest and then they say, "Oh, we're only responsible to the private shareholder." What about the 90% of us who deposit money in the banks? Imagine, we charter six banks. We, the government, the people of Canada, give a charter to six banks to make money and then they say, "We are responsible to our private shareholders." That's what they say. The brokers rake it in and the banks rake it in and we have unemployment at 10%. We have wages going down and we have poverty for seniors going up. We have a complete disregard by this

government for people with disabilities, a complete disregard for the issues we dealt with, like employment equity, to deal with people we felt were treated unfairly. They have taken \$600,000 from the Ontario Human Rights Commission. It gives you a sense of what they care about. Basic human rights.

Remarks in Italian.

Mr Marchese: We have this contrast between wealthy individuals in society — banks and brokers — making it big, and these fine people support all of that. They say, "This is good for us." I say, if this is all good, why is unemployment where it is, at 10%? If you guys said, "Vote for us and the jobs will roll in and roll down like the waters from those big mountains" — that's what you said you would do. The jobs would flow like the waters from the mountain. They're not flowing anywhere.

Mr Kormos: Trickle down.

Mr Marchese: They're trickling down. Right to the bottom is where they're trickling down. But under your stewardship, we were supposed to have prosperity. You said to us, "Elect us and we're going to open the doors to development and jobs will roll in." Lo and behold, they come, and we have higher unemployment. How do you figure that? How do you explain that? Unemployment is up, wages are down, people are unemployed.

This government is firing Liberals. Let's not talk about Liberals and their cousins at the federal level, because they fired 40,000 people. They said: "We're not going to focus on the deficit. Oh no, we're not going to do what Mulroney did. We're going to tackle the jobs issue. Vote for us." Poor, hapless Liberals. You, like them, said very much the same thing. You're completely mesmerized by the deficit, and at the same time you said, "As we deal with that, the jobs will roll in, will flow like the waters from the mountain," and they're not flowing anywhere. We've got a big, jobless community in our country.

So what do we have? We have this government tinkering with some changes to the Municipal Act. I want to be polite a touch, and respectful, because sometimes you have to do that. I want to recognize the fact that this government has acknowledged something that we said was offensive to us and many other people, and that was around the community transportation action plan.

We were very worried because the minister was giving unto himself powers to negotiate with anyone — anyone — to do anything that he and whoever he appointed would do around issues of transportation. We were worried about that. We said: "M. Leach, that is a power that is very much like Bill 26 and it's draconian. We're afraid of you abusing that power because you've abused it in so many other instances, as so many of your ministers have." We didn't like it and we knew other people didn't like it, so we had the Minister of Transportation agree to take it out.

I want to acknowledge that, because from time to time governments listen. They may have listened for the wrong reasons. It's possible. They may have said, "If we go ahead with this it will, who knows, incite the public, the opposition, and we don't want to worry about that so we'll introduce it some other time." So they decided to take that out.

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I want to acknowledge it publicly, because I don't want to give the impression to the public that we are always negative in opposition. That's what we have to do. We have to be the party by and large that is vigilant against government, this particular government, which, as I said, needs to be watched very carefully because we have seen the power of omnipotence overtake some of these fellows. We have seen Soviet-like powers being exercised and we need to worry about that kind of thing.

So we thank him for doing that. They didn't take out, however, the issues of liability. In fact what they have done is to give municipalities some help through relief from liability for nuisances in regard to sewer and water systems, and they have kept that. They didn't listen to us in this regard. But, you see, they can't. If they listened to us in this regard they'd have a problem because they're trying to download on municipal government, and as they download, they've got to give them more powers to be able to deal with the offloading from the province. In this regard they said to the municipalities: "You, municipality, no longer have to worry if there's a sewer backup. The poor homeowner will have to pay for that." That's what's happening. The poor homeowner is now going to have to pay when they suffer a sewer backup into their home, putting more of the cost —

Interjection.

Mr Marchese: Yes, that's what's going to happen, putting more of the cost on to the homeowner, relieving the municipality of that cost. This government says, "Well, that's okay." I say it's not okay. I say that people are now going to face greater costs than they should, and I believe that to be a problem. I believe it to be a problem because we are helping. We would be helping this government by supporting this as they do their next malodorous acts against the public of Metropolitan Toronto.

What do I mean by that? Well, we know and have heard that the government is looking at disentanglement, which means they want to be able to get away from a number of things they are paying and to shift those responsibilities on to municipal governments. We hear they're considering making municipalities more responsible for welfare, child care, public health and even public housing, including cooperative and non-profit housing. Why do we think they want to do that? Because they have announced that they're likely to take the education portion that comes from the property tax out of the homeowner tax, and that constitutes about \$3 billion or \$4 billion. They may be contemplating replacing that money with an income tax system from general revenues. Well, they can't do that because this government has promised not to increase income taxes.

This is not farfetched at all. We're talking reality here. They cannot increase income taxes because that so-called taxpayer, the one who supports this government, would not tolerate an income tax increase. So what are they going to do? In my opinion, what they're likely to do is not to substitute the property tax portion with a general income tax portion. They're going to download a lot of those costs on to the municipalities. We're talking about things like child care, welfare, public health and housing;

cooperative, non-profit and public housing. They are contemplating these measures.

We are worried that they would be shifting these responsibilities down to the municipal government. If I were they, I would be indicating quickly to this government that they will not stand for it, that if this government does that, they will threaten legal action and other possible actions against this government. Because this government might say, "Well, you are creatures of this government and we're going to force you to accept it." If that were the case, my view is that the municipalities would have to fight back. As seniors get older, they require more health care. Child care needs never are lessened, welfare needs are generally not lessened, and housing needs are generally not lessened. The municipality would incur tremendous costs to do that, so why would municipalities agree to this type of disentanglement that would get them into a whole lot of trouble? Those are social needs that will not disappear, and in order to meet those needs they would either have to reduce the services that are provided to people or increase property taxes.

We all know that municipal governments are very wary about increasing taxes because people get upset when their taxes go up. So what's likely to happen is that people would face more cuts to their services. That is my worry. That is my worry as this government contemplates relief from liability for nuisances. My concern is that as they give some governments these types of tools, they will use those tools, as they are downloaded on with these new responsibilities, to deal with those new responsibilities. I argue that services will be cut back.

We then have the issue of education. I have argued, connected to what I just said, that even if they were to go to pooling, which some people argue as a different way to go, pooling presents different kinds of problems. That is to say you would pool all of the residential, commercial and industrial taxes and then redistribute them accordingly throughout the province. If they were to do that, I would be equally worried because two things would happen: Municipalities like Metropolitan Toronto would lose a great deal of authority to be able to manage their own needs, but in addition what would happen is that they would lose a whole lot of money that in fact would not be redistributed to those other regions across Ontario.

So everybody would lose, but particularly those areas like ours that have had the money to put back into English as a second language; to put back into our concurrent programs like our black concurrent educational programs; to put back into third languages, our international languages; to put back into our alternative schools; to put back into our inner-city needs. We would lose all of that. Pooling would take money away and it would never come back to the city of Toronto and to other cities in Metropolitan Toronto. So I am terribly, terribly worried about what this government is doing.

As a brief summary before I let my friend from Dovercourt speak, as we tinker with some of these municipal issues, you fine Tory members have to reflect on the kinds of things you are doing with your cuts, with your income tax cut that's going to hurt a whole lot of low-

income people and benefit the wealthy. You're leaving a whole trail of unemployed, a whole trail of seniors who are becoming poorer, children who are becoming poorer, people who suffer different abuses without the services to help them out, and people who are losing their incomes. When they're not losing their jobs, they're losing more and more of their incomes, forcing greater and greater problems on people.

Reflect on the fact that as you get rid of rent control, you will impoverish more and more people. Reflect on the fact that your 21% cut on social assistance people, people who have low incomes, has made a lot of poorer individuals in society, particularly children, and you have forced a lot of evictions of those individuals who would have been able to afford their place, the home where they were, but are being forced out because they cannot any longer afford to stay where they're at. You are responsible for all of that. You who speak about your wonderful stewardship of prosperity are leaving behind a legacy of poverty from which we will never, ever recover.

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If you don't reflect on that, the communities that elect you need to reflect on that. I urge them, the ones who are watching, to write the ministers and the MPPs and mark the envelope "Private and Confidential" so it gets into the hands of Mr Leach, Mr Snobelen and Mr Saunderson, it gets into their own private hands so they see for themselves what you have to say. If you don't write a note saying "Private and Confidential," it will disappear in that wonderful bureaucracy which will never have a U-turn back to the office of either the minister or the MPP. I urge you, if you think you've had enough of this government, to write them a letter saying to them what you disagree with, their malodorous policies and how they're hurting you, and send us a copy so we know you have done that and that you share our ideas. I urge you to do that because it requires this kind of action to prevent further damage that is being inflicted on all of us in this province.

With that, Mr Speaker, I thank you and I'm looking forward to the responses.

The Speaker (Hon Chris Stockwell): Further debate?

Mr Tony Silipo (Dovercourt): I'm glad to have the chance to round out this portion of the debate. I want to just say at the outset, having worked with my colleague the member for Fort York for a number of years, not just here at Queen's Park but on the school board in Toronto, I note with great interest that his persistence is still there, his tenacity is still there, and his delivery continues to get more and more colourful with each presentation that he makes.

Interjection: Especially in Italian.

Mr Silipo: Especially in a couple of other languages, not all of them ones that are acceptable according to the rules in this House.

I'm delighted to have a chance to speak to this bill. It's significant that we are having this debate on the last of the midnight sittings for this part of the sittings but yet on the eve of the extension of these sittings going into next week and then, in what has got to be at least a new twist to the rules, if not complete newness to the rules — I'm not, Mr Speaker, trying to challenge the

ruling that you made the other day — in effect as we come back in the middle of January to what will be the beginning of the spring session, if you can fathom that: January 13, the beginning of the spring session.

Mr Wildman: Closer to the solstice than the equinox.

Mr Silipo: Absolutely.

I want to begin by making some very specific references to the bill that's in front of us tonight and also, as my colleague has done, set this in the broader context of what is happening in municipal restructuring. In Bill 86 — a bill, by the way, which the government purports to call An Act to provide for better local government by updating and streamlining the Municipal Elections Act, the Municipal Act and related statutes. Better local government we are getting to a small degree in some of the changes that are being made, but "Better Local Government" is anything but what I would have called this bill. But then we know that one of the things we are seeing constantly from this government is an amazing ability to infuse a lot of fiction into the writing of titles of the bills we see in front of us.

Having said that, let me say that there are a couple of provisions in this bill that I actually think make good sense, even common sense, as the members opposite like to use. I think, for example, that the requirement, as is one of the provisions of this bill, that there no longer be a specific municipal enumeration is a good thing because as we move towards a permanent voters' list, it makes sense. It's certainly something I personally have been advocating for a number of years, and I believe it makes a lot of sense in terms of dealing with ongoing elections, be they provincial or municipal, and maybe one day even linking it with the federal and indeed going on from there.

I believe, for example, that the provision in here of allowing municipalities to hold referenda without having to go begging to the Ontario Municipal Board for permission is also a very useful thing. It shows a kind of acknowledgement of a certain maturity within the municipal sphere that we should uphold.

I'm sure there are a number of other minor changes in here that I could go through and agree with, but I also find myself very quickly confronted by ongoing contradictions that I see this government day after day bringing to the Legislature and to their policy-making as I look at some of the other provisions in this bill, which may not seem to be that major in the whole context but which I believe are quite significant and major. I want to talk about a few of those.

I don't believe that requiring somebody who runs for municipal office to file a deposit with their nomination is a sensible thing. This is the government that talks about wanting to encourage democracy, encourage people to be participants in this process through referenda, through other means, and I want to talk specifically about referenda a little bit later on.

I don't buy the notion, particularly at the municipal level, of having somebody put in a deposit to be able to run. The minister says that conceivably it will only be a nominal amount, that if the person who's running gets a certain proportion of the vote they'll get that back, just like what happens at the provincial or federal level. I

think there is something about municipal elections which we need to try to maintain. I would apply that same principle to the provincial and the federal levels. But at least at the municipal level we should not put one more roadblock in the way of someone who wants to run for public office, and we should be prepared to say that if someone wants to run — that, after all, is the heart of our democratic process — they should be able to run. If this is supposed to eliminate the more colourful figures who tend to run for office and maybe end up with a handful of votes at the end of the day, I say let them run. That enriches the process. We don't have to figure out ways to exclude them from the process, which is what I think that provision is trying to do.

Where I begin to have greater problems than that, as I look at the provisions of this bill, is in some of the more significant changes that are being made. One of them, I gather, was actually turned around in the process of this bill going through committee, and that was dealing with the issue of election campaign contributions. The original draft of this bill put a cap on how much money a single contributor could contribute to candidates running for office on any one council or local board in an election, and that was \$5,000. Lo and behold, that ceiling has disappeared because the government in committee, I gather, moved an amendment that eliminated that. "What's the significance of that?" you might say. I look around at who makes donations to municipal candidates, and certainly it's the average citizen. But average citizens, whether they're homemakers, school teachers, factory workers, or injured workers for that matter, are not going to be in a situation where they will have the luxury or the ability to even contemplate donations of this kind.

What's this amendment all about? This legislation is saying there will be no cap on how much people can spend, that if they can afford to spend more than \$5,000, \$6,000, \$10,000 to pump into municipal candidates' elections, they'll be able to do that. That, I think, is wrong.

When I think of the municipal level, "developers" is one word that comes to mind as one category of people who maybe will be able to afford those kinds of donations. While I make no categorical denunciations of any group of people, I believe that indicates right then and there what this government is all about: It continues to make life easier for those who can well afford it and it continues to make life harder for those who can least afford it. Even here, in a basic restructuring of the rules of municipal elections, we see that principle right up front by this government.

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I want to talk about another aspect of this where I see an interesting contradiction. I was interested in hearing the parliamentary assistant's opening comments on third reading of this bill. One of the things I heard him say was that the government, in this legislation, is interested in protecting the privacy of citizens.

One of the examples he gave to support that notion was that we would not be posting voters' lists in various public places, which I happen to agree with. But why is the government so concerned, or says it's so concerned, about on one hand protecting the privacy of individuals

when it comes to something as simple as this and yet it has no problem trouncing on the privacy rights of Dr Hughes?

Remember Dr Hughes? He's the doctor whom the communications assistant in the former Minister of Health's office tried to intimidate by releasing to a reporter his private and personal records about how much money he was billing OHIP.

Where is the principle? Is the principle to protect the privacy of individuals? Is that a principle that holds or is it a principle that applies only when it's convenient for the government of the day, when it's convenient for this Tory government in particular?

Then they continue to just trounce away on that when it suits their political agenda, unless of course there then are occasions, such as in the Minister of Health's case, where they get caught. Then we have the now Minister of Health and the Premier continuing to run around in circles, still trying to prevent a full and open public inquiry into the mess that they've created.

I look forward with great interest to the days ahead, to the sittings in January, because we'll have lots more occasions to continue to pursue our questions on that and make sure the Premier and the government, the Harris government, understand that they have a responsibility, particularly if they want to continue talking about believing and protecting the privacy of individuals, that they can't trounce on them when it's to their convenience.

Another piece in this legislation is that it allows greater latitude with respect to municipalities holding referenda. Here again we see another incredible contradiction, because the government that's running around saying, "We're giving municipalities greater flexibility around when they want to hold referenda," is the same government that's coming through the Legislative Assembly committee with some ideas and proposals about how to expand the use of referenda, not just from the government's end but indeed allowing citizen-initiated referenda. I think this concept is a good one in terms of something that can be encouraged, again understanding that referenda should not be used on a weekly basis but should be used for certain important issues and deal with certain important questions that the public has a right and an obligation to voice its opinion on.

Here again, we see the incredible contradiction this government lives through every day. While they believe there are certain cases when referenda should be warranted, when it suits their purposes, they also continue to stonewall the request that's come from various municipalities in Metropolitan Toronto, from citizens right across Metropolitan Toronto, from people who want to have a say in how the future governance of the biggest metropolis in Canada, let alone in this province, is to be determined.

Somehow the Minister of Municipal Affairs says to us, "That issue is just too complex to put out to people." I want to suggest to the minister, with all due respect, that if he manages to understand this issue, let me tell you, the average voter out there will more than understand this issue. I have every confidence in the average voter in Metropolitan Toronto understanding and voting on a question as straightforward as: "Do you agree with the

amalgamation of the six area municipalities into one? Yes or No." Pretty simple, pretty straightforward, it seems to me.

Mr Wildman: Maybe he's afraid they won't agree with him.

Mr Silipo: Exactly. My colleague from Algoma says maybe he thinks they won't agree with him. That's exactly the reason the minister is afraid to put that issue out to referendum, that's why the Minister of Municipal Affairs and Premier Harris are afraid to put that issue out, because they know that their preferred model, which they have been espousing but have not ever had the decency to come to this House and say, "This is what we want to do" — they know that model and that option would be trounced by the voters in Metropolitan Toronto.

What about democracy? What about letting people have their say? Does the Harris government believe in it, or is it simply a convenient tool for them to use and talk about whenever it suits their purposes? I think that is the case, because we are seeing action after action of this government that results in this contradiction coming more and more to the fore. The one common thread that I continue to see through this is that the Harris government has a specific agenda in how they are governing. The most interesting aspect, as I've been able to figure this out, but as their own spin doctors are now telling us more and more clearly with each passing day, is that the real agenda of the Harris government is not governing at all, at least not governing in the sense that we've known governing in this province, which is that you try to find a consensus, yes, starting from your own partisan political point of view, obviously, but trying to find a consensus, trying to make decisions that somehow will be for the better good of the whole society.

No, what this government is doing is running a constant election campaign, and in that constant election campaign their primary audience and their primary target is that 40% they need to get them re-elected, and they don't care about the other 60%. They're comfortable in governing for a minority of the province because that's how they believe they will get re-elected. They believe that as long as they make their rich friends happy and persist in their arguments to try to convince another 10% to 15% of people — as they did in the last election, people who thought they had the answers, to whom they gave the easy answers to the very complex problems we have in front of us — they think that's all they have to do to get re-elected, and that's what this is all about.

When I look at what this government is doing with respect to governance and the future of the greater Toronto area, it gives me no hesitation in saying that the bottom line that's driving the decision-making by the Harris government is not a concern about the future of the greater Toronto area and what's best for a region that has 40% of the population of the province. It's all about politics, and it's all about partisan politics.

I heard this from someone at a meeting down at city hall the other day, who put it in the clearest way I could ever hear: "Look, the Tories aren't going to fiddle around with the 905 area." Interestingly enough, that's what we're hearing from the minister now. Why? He said: "Look around, look at what you have now. There are 18

seats in that area now. They all happen to be represented by Tories. Under the redistribution, they're actually going to have 19 seats there. They figure they can hold all those seats if they don't upset their friends in the 905 area."

One other example we heard just a little while ago was that they're backing off on the development charges issues. Why? Not because it was the wrong thing, but because Hazel McCallion, one of their Tory friends, got upset at them.

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On the other hand, they're going to mess around inside Metropolitan Toronto. Why? Because it happens to have the largest number of councils, the largest number of politicians. They can go around playing cheap politics, saying: "Look at all the politicians we've eliminated. Look at all the councils we've eliminated." And you know what? It's not going to do one damn thing to improve governance in this region.

You appointed Mr Crombie and his panel to give you advice. Interestingly enough, you turned down the advice the Golden commission gave you a year ago. If you were serious about the future of the region, you would have started to implement some of those directions a year ago. We could have been well on our way with legislation six months ago, a year ago, a full public debate, people understanding the options and real decisions being made. You would have seen a consensus develop that would have brought people together and we would have understood and made decisions on the basis of what is best for this region, which continues to be, whether you like it or not, the economic engine of this province.

Yet what we see instead is sheer partisan politics. They appointed Mr Crombie, hoping to get from him a recommendation around their megacity, and what did they get instead? Mr Crombie said very clearly: "The most important thing you need to do is deal with the greater Toronto area as a region. If want to look at governance changes, you'd better look first at the regions. Eliminate the regional governments and, as a transition, create this greater Toronto service board, as a first step towards full governance at the regional level."

The region today is no longer just Metropolitan Toronto versus the other parts of the greater Toronto area. The region is the entire area. We can argue about how far we want to extend those boundaries, but everybody knows and everybody understands that the region, the economic entity today, is the greater Toronto area. He said: "You've got to look at that in terms of governance, in terms of economic development, in terms of the real future. You've got to have a structure in place to deal with that, first and uppermost. Then you can go ahead within that, only within that, and make changes within Metropolitan Toronto in terms of consolidating municipalities." Interestingly enough, he also said, "You can look within Metropolitan Toronto but also between Metropolitan Toronto and the surrounding areas," because there's no longer any magic about the Steeles border or the border between Mississauga and Etobicoke, to use but two examples.

He said, "Take three months, look at these possible consolidations," and then he finished by saying one very

important thing. He said: "Do not, under any circumstances, do not fiddle around with consolidations inside Metropolitan Toronto if you are not also going to do the first of the points, if you are not also going to put in place a structure that coordinates the services right across the region."

Well, we will see next week what comes out from the Minister of Municipal Affairs, but judging from what he continues to tell us about the decisions he and his government are making, what we are seeing is that we will have consolidation within Metropolitan Toronto, we will have a megacity, we will have one city within Metropolitan Toronto, but they won't touch the other regional governments. Although they will, I believe, come forward with some kind of coordinating body, they will not dare to touch the regional governments outside of Metropolitan Toronto. Why? Because it doesn't make sense? No, it makes absolute sense. It's because they don't want to anger their political allies. It's as plain as that.

Now, they'll put it in great language, that the outside regions are not quite as ready, they're not as developed etc etc. You can continue to insult people in that way all you want. The sheer reality is that you will not touch the 905 area because that's where you believe your strongest base of support is, that's where your municipal allies are in greatest numbers, and you don't want to get them angry at you. You've already seen what Hazel McCallion can do to you on one simple issue and you don't want to take them on on the broader issues.

What we're going to see, and we'll see this next week, is that they'll continue to play politics with this. They'll continue to say, "Look at all the politicians we got rid of inside Metropolitan Toronto" — except they won't say "inside Metropolitan Toronto"; they'll say "inside the GTA" to pretend that they are dealing with the whole thing.

But they are not dealing with the whole thing, they are not, because even their own handpicked panel could not deliver to Minister Leach the recommendation he was so desperately seeking, the recommendation to say, "Do away with all the area municipalities in Metropolitan Toronto and just amalgamate them all into one city." Yes, that happened to be Mr Crombie's personal preference, but he also said very clearly, "The panel as a whole" — Mr Crombie was part of a panel; he wasn't there by himself — "did not agree to that, could not agree to that." The panel was split on that, some people believing it should be three cities, some four, he one, but he said he could live with either model.

Interjection.

Mr Silipo: Yes, he personally said he preferred the one. I heard him say that. But the point is that the minister did not get the blanket endorsement he was seeking, even from his own handpicked panel, and that's got to be rubbing him a little bit wrong.

But he will persist, I'm sure. If the rumour mill is correct, he has already proceeded to get the approvals he needs in cabinet and caucus. Despite the Premier having said consistently here for the last couple of days that they haven't made a decision, we know that's the direction they've been moving in and that what we will see next

week is an amalgamation of Metropolitan Toronto into one large city of 2.3 million people.

I happen to think that route, at this time at least, is the wrong way to go. In the evolution of the process of governance at the local level in Metropolitan Toronto, I don't think at this point that's in the best interests of good government, particularly because in what will come forward we will not see the same rule applied to the regions surrounding Metropolitan Toronto. We will not see the elimination of the other regional governments. We will not see the true coordinating function because there will still be this tug of war between the central region and the surrounding regions.

Having said that, I also want to say briefly, because we'll have lots of opportunity to talk more about this in the new year, in the famous spring sitting that's going to start on January 13, that there's an even bigger agenda looming on the horizon. It's what I call the \$3-billion collection. It's a series of bills that we will see introduced for the first time in this Legislature, starting next week with this first piece on the megacity in Metropolitan Toronto and rolling into January with a bill on property tax reform; with another piece of legislation on governance outside the Metro area, which I believe will simply be this coordinating function without elimination of the other regions; with municipal reform and disentanglement; with property tax reform; and with education reform.

Never was that word "reform" more appropriate than in the labels attached to these movements and these bills, because what is coming is in fact capital-R Reform. That's what this government is about and that's what we will see in these pieces of legislation. These are the tools they will use to take out of the public funding system of this province \$3 billion they need to find, that they will take out of education, that they will take out by shifting more costs down to the municipal level and making property taxpayers pay more, not less.

As they do this magical shifting with respect to social services, health care, education and all the other costs back and forth, what we will see at the end of the day is the property tax base picking up a far larger portion of those costs than they are picking up today.

What does that mean? It means that property taxes, by nature the most regressive form of taxation because they have no relationship to the ability to pay, will become the way in which this government will continue on its agenda, which is to make those who are the wealthiest pay less, in fact gain even more through their tax cut, and they will make property taxpayers, the average family, end up paying for more and more of these tax cuts, end up paying for more and more of the services.

That's the way this government functions. At the heart of what this government does, at the heart of what Mike Harris is all about, it has everything to do with shifting power and shifting wealth from all of us into the hands of fewer and fewer people, those fewer and fewer people who already are making more. Those are the people who are benefiting from the tax cuts. Those are the people who are going to benefit by these changes that we will see in a massive way, because not since the days of Bill 26 will we see pieces of legislation in front of us that will so significantly change the nature and the future direction of this province.

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I for one am quite frankly delighted that I will have the chance to be here in my place next week, and particularly from January 13 until July whatever, as we debate these bills and as we continue to point out to the people of the province what the Mike Harris agenda is all about. It's not about good government, whether it's at the local level through Bill 86 or any of the other pieces of legislation we're going to see before us; it's not about finding the best solutions for the future of this province; it's not about putting the province back on its feet economically and socially. It's about creating more divisions; it's about ensuring that the wealthy get wealthier, that the rich get richer and the rest of us get poorer. It's as simple as that. Legislation after legislation, measure after measure that this government takes perpetuates that basic notion and that basic tenet of what Mike Harris stands for. I know that there are some members across who begin to be troubled by this, but more importantly, the public is beginning to understand and will remember.

The Speaker: Questions and comments?

Mr Bisson: I want to congratulate both my caucus colleagues for what they had to contribute in this debate. The member for Dovercourt hits it on the head. The government's agenda here is to divide people among classes and, in the guise of saying that they're going to provide better government, to really dismantle government. I couldn't agree more on that point.

The other point he made that I thought was rather good was that there is a strategy on the part of the government in order to move towards a system, a political situation, where they're going to pit Metro against the GTA. It would be fairly safe to be assured that at the end of this process, when they do restructure what is now Metro, the six cities within the Metro area, there are going to be a lot of people in Scarborough, Etobicoke, Toronto and others who are going to be really upset with this government because they're going to see their municipalities taken apart. I believe that come the next election the Tories will have a fairly difficult time; I wouldn't say they'd get shut out in Metro, but I think they're going to have a more difficult time than they did in the last election.

Their policy and their strategy are quite evident. They're trying to appease the 905. If you look at everything they're doing, it's really about trying to do well in the 905 and hope to heck that they're able to do well enough there, and a bit in rural Ontario, to come back in the next election. But my guess is that this won't happen. I have a fairly good sense of what people have been saying in the 905 area and the Metro area and the rural area and northern Ontario, and it's fairly unanimous. There are a lot of people out there who are saying, "Something's got to be done. We have to work towards balancing a budget over a period of time and we have to eliminate that deficit," but there are a lot of people who are very weary with what the government is doing and they're starting to catch on. This is not so much about balancing budgets. This is not so much about eliminating the deficit. It has more to do with dismantling government. People are catching on to that and in a very short time we're going to start seeing that in the polls.

Mr Tony Clement (Brampton South): I thank the honourable member for Dovercourt for his remarks, although I detected a tinge, and I know he did not mean this, of paranoia about some of the government motives. I just want to assure this House and the honourable member that there is not some grand conspiracy at work. We are not responsible for the death of JFK or fluoridation of water. Sometimes people always look for the complicated explanation: What sort of conspiracy is at work involving shadowy men on a shadowy planet? It's much more simple than that. We all know that there is only one taxpayer who is footing all of the bills for all these levels of government. We want to ensure that the taxpayers, that the citizens who deserve the best services in our municipalities, get that through a level and a support of a government and series of governments throughout the GTA and in the province of Ontario that can deliver those services effectively, efficiently and with the taxpayer in mind, to deliver the services that make sense for the respective jurisdictions — nothing more complicated than that.

Does that mean that the same solution applies for Metro as to outside of Metro? No, of course not. That's the cookie-cutter approach that the previous government had tried to do, and it failed miserably. Our approach is a bit more subtle than that perhaps. It is looking at each individual municipality and determining what is best for them and working with them to find that determination. For that we are guilty as charged. But if we are guilty of that, we are also guilty of making sure that government works for the people of Ontario.

Mrs Caplan: The bill before us today is the Better Local Government Act. Unfortunately for the people listening to this debate, what they're going to realize is that this government may not have in mind better local government. In fact, while this bill may have some important provisions for local municipalities, the concern that people in Metropolitan Toronto have is that the government is moving headlong into amalgamation without any data, research or information to justify what it is doing. I take issue with those who stand in their place and say that they believe this is going to result in more cost-effective government.

The reality is that every study on large amalgamations suggest that your property taxes will go up and your service levels will go down. That is not what the people of Metropolitan Toronto want. They want good local government. They want the opportunity to know that services are delivered efficiently and effectively. They do not want their taxes to go up as a result of this scheme. We also know that the people of Metropolitan Toronto know and are beginning to understand the real agenda of this government, which is an anti-Metropolitan Toronto government. They are beginning to realize that this government does not understand the economic importance of Metropolitan Toronto to the economic life of this province.

The people of this province will want to have their say in the form of a referendum, which this government seems to say it is going to let us have on every other issue but not on the issues of importance. They are afraid to consult the people because they cannot justify the

decisions that they are making with any research, with any data. This is ideology gone wild.

Mr Kormos: I'm grateful for the contribution to this debate by the member for Dovercourt, whom I would have referred to as Tony Silipo but for the ruling of the Speaker, and by the member for Fort York, who of course is Rosario Marchese.

Very much the focus, and appropriately, was Toronto, they both being Toronto members, but let's not forget that this bill impacts every municipality, every part of the province of Ontario. This bill hands over governance for municipalities to the big corporations and to the developers. There's simply no other way about it.

The member for Dovercourt spoke of how this government owes debts, there's no two ways about it, to its corporate friends, to its developer friends. These Tories are so deep in the back pocket of the big developers that they're spitting out lint. This government has every intention of turning governance over to the wealthy and the powerful, the already powerful, and to the big profitable corporations and to the profitable and not-so-conscionable developers. It's doing it in no small part with this bill.

We know that this bill removes the cap for political contributions by the rich corporations to municipal politicians. This bill is designed to grease the way for Tories who want to get on to municipal councils so they can be lackeys, lapdogs. As much as Tory is a lapdog to the minister responsible for the bill, Tories like those we have here will be lapdogs for the corporations and the developers on municipal councils. That's what this bill facilitates.

It very much impacts on the city of Toronto and the greater Toronto area. It also impacts very much on cities like Welland and Thorold and St Catharines and Niagara Falls. When I see the Tory members for the region not speaking out against it, I wonder where they really stand. I know where they stand.

The Speaker: Response.

Mr Silipo: We split the time.

The Speaker: No, you can only have one response. *Interjection.*

The Speaker: Fine, as long as you're not going to get up later.

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Mr Marchese: The member for Dovercourt and I thank the four other people who have spoken. There are three or four points I want to make quickly to this.

First, one of the main reasons why we're objecting to Bill 86 is this new amendment they snuck in, the amendment that says, "The government intends to recommend that the members of the committee vote against subsection 71(3)," that wipes out the \$5,000 limit contribution the corporations can make. The Urban Development Institute individuals, those big corporations, are salivating. These are the people with whom they work on a daily basis and these are the people they are helping. That's one of the reasons why we're going to be opposed to this.

Second, this government is shifting its responsibilities on to municipal governments when it gives them more responsibilities for welfare, child care, public health and housing. That will liberate these Tories as they decimate our municipalities and our services, and then they can

say, like the ministers of education, health and transportation: "We haven't cut a thing. The municipalities have done that. We didn't do anything." As they offload, they will decimate and obliterate services that they have had for a long time.

Another member, M. Clement on the other side, talks about paranoia. Let me tell you about paranoia: M. Leach is paranoid when he has spent \$77,000 on special security doors at his office. When the Toronto Coalition Against Homelessness went, they found themselves locked out — \$77,000 has been spent to keep the public out, and he talks about paranoia. What does that minister have to fear? Why is he locking himself away from the public? Why is he —

The Speaker: Order. Further debate?

Mr Bisson: This is a terrible bill and I'm going to vote against it.

The Speaker: Questions and comments? The member for Welland-Thorold.

Mr Kormos: So am I going to vote against it.

The Speaker: Questions and comments? The member for St Catharines.

Mr Bradley: I notice that each of the members who spoke forgot to mention that this bill does not prohibit the placement of video lottery terminals in every bar and every restaurant —

The Speaker: Order. Member for St Catharines, you may only ask a question or comment on the speech that was given. I think that's going to be rather difficult, but I'd like to see you do it.

Mr Bradley: I can certainly understand the member expressing that point of view. He probably expressed it because of the tax cut. I've heard him speak before, and the reason he's going to vote against it is, some of the provisions are forthcoming because this government is going to borrow \$5 billion a year in order to finance a tax cut which will largely benefit the richest people in this province, the most wealthy people in this province, and I know that what is motivating the member is this tax cut.

But what he also knows is this government did not deliver on its promise to provide the tax cut at an earlier point in time. Nobody seems to know that. I have forgiven the government for that, but there are many real right-wingers out there who remember that this government has not delivered on that tax cut. I know that motivates the member and also I know he's opposed because this bill does not contain any provision which would prevent the placement of video slot machines in every bar, every restaurant, on every street and every neighbourhood in Ontario.

Mr Wildman: I must say that in listening to the debate from my friends from Fort York and Dovercourt, I wasn't sure how I was going to vote. But when I heard the member for Cochrane South, I was persuaded to vote against the bill.

I would tell you also that one of the reasons for voting against this bill is to emphasize the need to ensure that legislation is not just brought into this House and then completely subverted by other pieces of legislation that are going to be initiated by this government.

One of the things that is very odd about this government's approach to municipal affairs is that, on the one hand, they say they want to make elections easier for people to participate in, they want to make the municipalities more responsive and accountable; but, at the same time, they are proposing to bring forward legislation that will amalgamate against the wishes of most of the ratepayers. At the same time, they are a government that says they're in favour of direct democracy and they're in favour of referenda.

One of their proposals of which they are so proud is that they want to bring in referenda on constitutional matters and on taxation matters, yet on this particular matter, the possibility of amalgamation to set up a megacity, they say it's too complicated. Can I ask for an explanation from this government as to why it is too complicated to vote yes or no about the amalgamation of municipalities and not too complicated to talk about constitutional matters, the fundamental law of how this government and how this country should operate? One is not more complicated than the other. The government must have respect for the intelligence of the voters and the public in Ontario.

The Speaker: Response?

Mr Bisson: I'm more convinced than I was at the beginning of the debate. I counted it: ayes are 1, nays are 3. I consider the bill lost.

The Speaker: Further debate? Does the member for High Park-Swansea want a final comment?

Mr Shea: I rise to express some very serious concerns. There is something really out of control here tonight that we've seen working its way down through the House. I want to remind us of the flip-flop machine. It chewed up the Liberals and it's now eating its way through the socialists.

I want to refer to something that really concerns me on their behalf. For example, just two months ago, my good colleague from Fort York was in favour of recount, and now, of course, he says he is not, certainly not this proposal. It was just two months ago he said he was in favour of the Internet proposals, and now he says no. It was also just two months ago when he said: "Let me tell you about referenda. By golly, I think that will be very costly and could well have adverse effects on the people." Now today, of course, he says, "I guess I'm in favour." It has been a very strange two months. The fact is that we've had at least three examples of flip-flopping. I have real concern for my colleague in this regard.

What really troubled me was, as he went through what was a very entertaining and engaging presentation, I found it lighthearted and I found it, at times, insightful, but what really helped the insight was when he picked up little pieces of paper. I was impressed by that. I confess I'm at a loss because I don't have as many little pieces of paper as he does, so I feel a little cheated. That may come with more time in the House, when you get more pieces of paper.

But I've got to tell you, what troubled me as he went through this, picking up pieces of paper, he forgot to point out, for example, that the Toronto Star seemed to say editorially it favoured the direction this government is moving in; that the Globe and Mail has made the same

suggestion; that the Toronto Sun has made the same suggestion; that fine columnists like David Lewis Stein has made the same suggestion, very much in favour of where we're going. He didn't hold up those pieces of paper. Now, somewhere along the line in the new year, I demand that he hold up those pieces of paper so I can read them as well.

In the meantime, can I bring this debate to some kind of sane conclusion by saying most members in this House will really understand the importance of this bill, and I know that reason will prevail and we will all vote for it willingly. In spite of what my good friend from St Catharines may be concerned about, he knows that that spectre has been laid to rest by the Premier himself. So I can share with my colleague that his concerns may be put on the back shelf.

However, I want to end the debate by reminding us that this bill, and the aim of this bill, is to simplify the municipal election process, and it does it admirably, and to improve accessibility, and surely no one in this House

would oppose that. It gives the municipalities the flexibility to conduct elections efficiently and in a way that meets local needs, and that is surely something to which we are all committed as well.

I ask this House to overwhelmingly support Bill 86 and pass it.

The Speaker: The member for High Park-Swansea has moved third reading of Bill 86.

Mr Ed Doyle (Wentworth East): It is my understanding that we have unanimous consent to defer the vote on Bill 86 until right after question period on Monday, December 16, 1996.

The Speaker: Defer it till Monday after question period. Agreed? Agreed.

Orders of the day.

Hon Mr Sampson: Since it's almost at that hour of 12 o'clock, I move we adjourn the House.

The Speaker: Agreed? Agreed. This House now stands adjourned till Monday, December 16, at 1:30 of the clock.

The House adjourned at 2153.

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Lillian Ross, Bruce Smith
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of Ontario**

First Session, 36th Parliament

**Assemblée législative
de l'Ontario**

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**Official Report
of Debates
(Hansard)**

Monday 16 December 1996

**Journal
des débats
(Hansard)**

Lundi 16 décembre 1996



Speaker
Honourable Chris Stockwell

Clerk
Claude L. DesRosiers

Président
L'honorable Chris Stockwell

Greffier
Claude L. DesRosiers

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LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 16 December 1996

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Lundi 16 décembre 1996

*The House met at 1334.
Prayers.*

MEMBERS' STATEMENTS

EDUCATION FINANCING

Mr Jean-Marc Lalonde (Prescott and Russell): My statement is addressed to the Minister of Education. I was invited on November 11 by the Prescott and Russell English Catholic school board to take part in a forum where parents from different schools voiced their concerns.

Parents in my riding are very worried about the future of education. They are worried about their children's future. Parents and teachers want to know how your massive cuts will affect them, they want to know what will be the consequences of school board amalgamation, and they certainly want to know what will be the effect on the classroom.

I have here a dozen testimonials of real-life situations where student education is being compromised with grade 3 classes of 41 students, where school boards cannot afford to bring in more teachers, where good educational programs are being slashed and so on. I have here parents' testimonials on a videocassette they have produced. They have asked me to present all of this to the Minister of Education, and I hope the minister will take the time to listen to what they have to say and hopefully make the right decision in order to address the concerns of the parents of the Prescott and Russell English Catholic school board.

LET'S TALK SCIENCE

Mrs Marion Boyd (London Centre): Today I want to share with members of the Legislature the wonderful success of the Let's Talk Science program which began at the University of Western Ontario under the leadership of Dr Bonnie Schmidt.

Let's Talk Science is an award-winning science education outreach program which trains volunteer university students and professional scientists to lead elementary and secondary students through hands-on activities and interactive experiments in classrooms and in after-school clubs. The purpose is to make science accessible, exciting and fun and to encourage students to see themselves in the role of scientists.

Started with only 10 volunteers, the program now has 11 full-time and part-time staff members and 300 volunteers who coordinate five different programs for students from age 3 through young adulthood. Supported initially

by the Lawson Foundation, which gave a two-year startup grant, the program has been so successful that it has won new partners. On December 5, the program received a \$1-million grant from DuPont Canada to enable the program to become national in scope. Lynn Williams, manager of public affairs for DuPont Canada, described Let's Talk Science as a crucial program aimed at getting people into science and research so that we can remain competitive in the knowledge economy.

Bravo to Dr Schmidt, to the University of Western Ontario, to all the corporate sponsors and to all the volunteers for creating and carrying out a program which has been declared a national success story.

TOONIE SCULPTURE

Mr Doug Galt (Northumberland): Last Friday I had the pleasure of attending an unusual festival of holiday lights ceremony in Campbellford. In addition to its seasonal display, the town unveiled a 20-foot-high sculpture in lights of the new Canadian \$2 coin. The sculpture celebrates the polar bear side of the coin in the form of hundreds of gold and silver lights reflecting in the Trent River. It is truly spectacular to see and it shows that even a base metal "doubloonie" can have a silver lining.

The coin sculpture will become a permanent feature in the town's Old Mill Park. It has a special significance for the town of Campbellford and for one resident in particular, Brent Townsend. Mr Townsend is the talented Ontario artist who won the competition to create a polar bear design for the \$2 coin. I extend sincere congratulations to my constituent for his award-winning work. His artistic skill has assured him a place in Canadian numismatic history.

I also extend my congratulations to the town of Campbellford, the town's public works crew and the chair of the \$2 coin display project, Lillian Turner. In celebrating Mr Townsend's design, these imaginative people have also created a new and lovely attraction for their town.

I would urge the public and all members of this House to put the Campbellford toonie display on their must-see list for 1997.

TVONTARIO

Mr Michael Gravelle (Port Arthur): This past weekend a full-page ad appeared in the Toronto Star calling on Premier Harris not to privatize TVOntario. The ad featured 254 names of leading Canadians from the world of arts and literature, film, labour, health care and business, all opposed to the privatization of Ontario's educational channel.

The intent of this ad, which is right here, placed by the Canadian Independent Film Caucus, was to draw the attention of all members of this House to the broad support TVO has across the province.

From my part of the province, Elinor Barr, a well-known writer, added her name to the impressive list, as did Margaret Phillips, owner of the Northern Woman's Bookstore in Thunder Bay, and Bruce Hyer and Margaret Wanlin, two more caring individuals from my community.

They all want me to hold it up, Mr Speaker.

1340

What we are all trying to say is that TVO is indeed this province's cultural treasure and that it belongs to all of us, whether we are from a first nations community in northern Ontario or from the heart of downtown Toronto. It is becoming more clear every day that the majority of the people in this province are proud of TVO and they want to keep supporting it because of what it gives us and how it sends a message around the world about our people and our province.

Not everything can be reduced to dollars and cents. Some things are precious to a people's sense of who they are. TVOntario gives us that sense of who we are and it proudly belongs to all of us. Let's keep it this way. I call on everyone in the province who cares about TVO to contact their MPP today and let their voice be heard.

The Speaker (Hon Chris Stockwell): Thank you. The member for Beaches-Woodbine.

Ms Frances Lankin (Beaches-Woodbine): I don't know, Mr Speaker; it looked like a prop to me.

MUNICIPAL RESTRUCTURING

Ms Frances Lankin (Beaches-Woodbine): Rumours are abounding in this Legislature and in this fine city of ours that this week, perhaps as early as tomorrow, the Minister of Municipal Affairs will be bringing forward a piece of legislation that will end the structure of local governance as we know it in the cities that make up Metro Toronto and will create one large — as it's been referred to — megacity.

We have to wonder where the advice is coming from, where the motivation is coming from. All the studies that have been done, and the minister's right to say that this question has been studied many times, the Golden report, the Crombie report, all suggest that the problems that exist are in the coordination of services and equity in property taxation across the GTA. So if the problem is across the GTA, it's hard to understand how Metro amalgamation could be the answer.

We see now that the minister, because we've been asking for the studies that prove his case, has gone out and hired consultants, and you all know that with consultants, if you want a certain answer, you can get the consultants who will provide that answer, and I am quite sure we will see this week those reports coming forward from the consultants suggesting that there is money to be saved.

But again we must ask, who did they consult with? We see today that the fire chiefs in cities within Metro have said they haven't been consulted about amalgamation and that it will be worse in terms of delivery of services.

Once again the government moves ahead without talking to the people involved.

DRINKING AND DRIVING

Mr Jim Brown (Scarborough West): Two weeks ago I introduced Bill 100 to this Legislature. This bill, An Act to amend the Highway Traffic Act with respect to Impaired Driving Offences, passed first reading on November 26.

The bill would impound vehicles and snowmobiles for 90 days if the operator blows over 0.08 blood alcohol content or fails to provide a breath sample. The impounding would coincide with the administrative licence suspension. For repeat offenders, the penalty is more severe. On the second and subsequent offences, the vehicle is auctioned, similar to fishing and hunting violations.

Hunting and fishing violations result in equipment and vehicles being seized and auctioned off on the first occurrence. Surely repeat impaired offenders represent a more serious and potentially catastrophic violation than catching a fish out of season.

Forty-seven per cent of all vehicle fatalities are caused by impaired drivers. Nearly two people per day die in Ontario as a result of impaired driving. The human misery and suffering is incalculable. I've seen victims who have been maimed by these senseless acts. I've talked to victims' families who regularly relive the horror and grief.

Similar legislation exists in Manitoba and British Columbia. Impaired convictions have dropped 30% in those provinces. Mothers Against Drunk Driving supports this bill. Christmas and New Year's is a time of festivities and celebrations. I introduced my bill to let the celebrators know that an impaired driver is a potential killer, a killer and maimer of people, a killer of hopes, dreams, goals and fulfilment. Please don't drink and drive.

SCHOOL ACCOMMODATION

Mr Dominic Agostino (Hamilton East): I have had a number of calls from constituents in my riding whose children attend Cardinal Newman high school. It's a unique situation where you have a high school that has two campuses, approximately 10 kilometres apart.

It is a high school that has 24 portables and it has almost 1,500 students. It has been a difficult situation for the past 10 years with these schools, with this type of distance, where students have had to go back and forth and often spend more of their day travelling between two schools than sitting in classrooms.

It's an issue where the previous government and the government before that had committed capital funding to ensure there's a new school on one site. I know my colleague from Wentworth East as well has been involved in trying to convince the minister that this funding be freed up, and I urge the government to as soon as possible announce and free up the funding for Cardinal Newman secondary school in the city of Hamilton and the city of Stoney Creek.

These are unbearable circumstances where we have 24 portables, where we have a school where children have to travel 10 kilometres in between classrooms. It's

probably the most unique situation in the province of Ontario where one school has two sites 10 kilometres apart. We cannot continue to tolerate this. I know parents who have called me in my riding, where many of the feeder schools into Cardinal Newman work, find this a very difficult, unacceptable situation. The students, parents and teachers must be commended for the great job they have done under these very difficult circumstances over the years.

I ask this government and this minister to please immediately announce the funding free-up for Cardinal Newman secondary school.

PAY EQUITY

Ms Marilyn Churley (Riverdale): Although the Harris government has taken away some pay equity rights and is planning more attacks on the principle of equal pay for women, the fact is that pay equity law is still on the books of this province.

For example, under the pay equity plan at the Lakehead Association for Community Living in Thunder Bay, the employees are entitled by law to increases that total \$85,000 for 1995 and \$170,000 for the current year. The workers and the employer agree on these figures. The problem is that the Minister of Community and Social Services is refusing to pay the money that is owed.

When is this government going to start respecting the law of Ontario and pay what these women are entitled to? The fact is that the Lakehead Association for Community Living entered into a five-year agreement on pay equity back in 1993. What this government is doing is shameful. They're lowering the standard of living and pay for all workers just to cover their wacky tax scheme. Where's the respect for the law and where's the principle of pay equity for women in this province? When will these workers get the pay they are entitled to?

I see that the Minister of Community and Social Services is here and I would ask her today to see to it that these women get the money they're owed.

OCCUPATIONAL HEALTH AND SAFETY

Mr R. Gary Stewart (Peterborough): I wish to inform all members of this House about an innovative workplace safety program occurring in my riding called the Greater Peterborough Safe Community Incentive Program. Many local stakeholders have joined efforts to create the Greater Peterborough Safe Communities Coalition to work with the Workers' Compensation Board to promote and improve workplace safety.

This incentive program has been designed to help businesses with up to \$90,000 in annual WCB assessments to promote workplace health and safety. When a company registers with the safe community program, it will become part of a community group experience rating plan. This group will be eligible for 75% of any savings in its accident costs due to enhanced health and safety programs: Good for business, good for workers.

As of last Friday, there have been approximately 42 local companies willing to take part in this program. I am pleased that the program is now in its final approval stage, and we anticipate it up and running very soon.

This type of local initiative is a positive approach. Let me congratulate the local chamber of commerce, various levels of government, workers' groups, health professionals, and all other participants for their efforts in making our places of work safer.

STATEMENTS BY THE MINISTRY AND RESPONSES

OMA AGREEMENT

Hon David Johnson (Chair of the Management Board of Cabinet, Minister of Health, Government House Leader): I am pleased to rise today to inform the House of a tentative interim agreement reached yesterday between the government and the Ontario Medical Association.

Above all else, yesterday's tentative agreement represents a win for Ontario patients by ensuring their access to physicians' services and putting an end to any uncertainty that may exist. Acceptance of the agreement is contingent upon physicians' resumption of normal practice.

Contained in the agreement is a new proposal to address the long-standing problem of attracting physicians to areas where they are needed. This new proposal responds directly to concerns brought forward by the Ontario Medical Association by offering financial incentives to attract new physicians to underserved areas and disincentives to practise in overserved areas.

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The tentative agreement also works to protect the delivery of medical services by reducing the recovery on payments to physicians from 10% to 2.9% and provides financial assistance for malpractice insurance, as recommended by Chief Justice Dubin. The agreement also simplifies payment levels or thresholds for physicians and calls for the establishment of an independent commission to reassess the fees paid to doctors for their services.

In announcing a tentative agreement, I want to recognize the efforts and commitment of the former Minister of Health, the member for Simcoe West, Jim Wilson. Without Mr Wilson's months of hard work and dedication an agreement would not have been possible.

This agreement represents a successful first step towards a comprehensive deal with Ontario's physicians and clearly demonstrates our ability to work together to put patients first and ensure that patients have access to medical services.

Mrs Elinor Caplan (Orillia): The goal of our caucus is always to do whatever we can to ensure that patients have access to the care they need when they need it. While I've listened very carefully to the minister's statement today, I'm not at all certain that this is a win for patients. He has not told us, for example, whether this will mean delisting of services or deinsuring of services. He has not told us what this is going to do overall to their policy of caps and thresholds and clawbacks and holdbacks. Those caps and clawbacks and thresholds and holdbacks have angered and frustrated physicians across this province, and I fear that the morale problem that exists may not be resolved by the minister's statement today.

I hope that the Canadian Medical Protective Association problem, which was created by the former Minister of Health, is finally resolved. I'm waiting to see what Mr Dubin recommends and suggests, because we have always believed that the former minister acted in bad faith when it came to the malpractice insurance payments for doctors in this province.

People are beginning to realize the cost of your policies, but unlike you, they also know that the former minister was a barrier to achieving any kind of good-faith agreement, because in order to reach an agreement you have to have good-faith negotiations. The former minister insulted and bullied the doctors of this province and they were rightly angered by the treatment.

What I'm hearing from people across this province, and quietly from members of the Conservative back bench, is that they are concerned about hospitals being closed in their ridings. They are concerned, as we are, that nurses are being laid off as a result of the government's policies. They know that user fees hurt those people who can least afford to pay them, and user fees are a reality of the Harris government. They also know that there are very significant cuts in service and emergency care across this province.

That is a concern to us and it should be a concern to the government, because what people are telling me and my colleagues is that they would rather have their cherished health care, they would rather have their nurses on duty in their hospitals and providing care and services in their communities, they would rather have access and the security of access to services they need when they are sick and they need them, they would rather have those things than the unhealthy 30% tax cut which the Harris government is bringing forward and which they know is resulting in enormous cuts to health care in this province. It is resulting in hospitals closing, it is resulting in people not having access to the care they need when they need it, and it is resulting in huge morale problems of the people who are providing the care in every community of this province.

The appointment of a new Minister of Health gives this government the opportunity to change its course, but as I listened to the minister's statement today, I fear they have not changed that course and that what they will continue to do is to delist, deinsure, see that nurses receive pink slips and are laid off, close hospitals and create the kind of insecurity and uncertainty that is very unhealthy in the province.

I would ask the minister to intervene and stop the \$1.3-billion cut to our hospitals. I would ask him to ensure that 15,000 nurses are not laid off. I would ask him to ensure that hospitals are not closed and that communities are not left vulnerable as a result of their actions. I would ask the new minister to stop the out-of-control, unaccountable Health Services Restructuring Commission, which is devastating community after community in this province. I would ask him to restore the loss of quality, accessible health care so that the people of this province can once again have some security that when they get sick, care will be there for them when they need it.

The minister says this is just the beginning of a new negotiation. I would say to him, unless he changes course, it is in fact the end.

Mr David S. Cooke (Windsor-Riverside): While we're all pleased in the province that this crisis has come to an end for the time being, I think it's important that we review what's happened over the last several months.

This whole process has been handled in an incredibly incompetent manner. We started off the process months ago with cuts that the government unilaterally announced in order to achieve its tax cut, and that was the whole purpose of the cuts. We also saw that there were very significant reactions from the doctors. The doctors revolted, stopped taking new patients, and the minister said in the House in the spring and last winter, "Don't worry, we have contingency plans." As it turned out, the contingency plans were, "Send patients to the US" and "Patients won't have any access to the health care system."

The whole process has been marked by confrontation. The previous minister and the government have confronted and asked for a war with the doctors, and that's what we got. It finally resulted in a crisis being developed, and then what happened? Then the government all of a sudden said, "Okay, we'll sit down and we'll negotiate." Then it took the government three or four weeks to even get its negotiating committee together. Then there was a tentative agreement, and what happened to the last tentative agreement? The Minister of Health of the day decided to intervene in the agreement, in the ratification process. He spoke out, he criticized doctors, just as he had in the spring. He called them greedy, told them, "Accept this agreement or we'll unilaterally impose the agreement," and the doctors said, "Enough of this. We're not going to deal," and they rejected the agreement.

The minister even tried to go to the College of Physicians and Surgeons and get that non-partisan, arm's-length body to intervene and do the government's dirty work, and they said: "We'll have none of this. We're not going to destroy our credibility because the minister wants to use us for political purposes." We had more withdrawal of services. Then a couple of weeks ago, in the middle of the negotiation process, what did we have? The ultimate: The minister's staff leaked billing information in a blatant attempt to bully the doctors of this province into doing it their way or taking the highway.

Now what do we see? Because the government finally saw that this was hurting them, hurting their popularity, hurting them with the public and that people were very concerned, the government, instead of trying to find long-term solutions, sat down at the negotiating table and basically gave the doctors a lot of things that do not resolve long-term problems that our health care system continues to face.

I would have thought that at the very least we could expect the Minister of Health today to come in here and say, "Here's the agreement," give a bit of an explanation of the agreement but also present to the Legislature a costing. This is supposed to be a government that says they do business in a business-like way. How much is this agreement going to cost the taxpayers? Where's the money going to come from?

The critic for the Liberal Party says it may come from delisting of items. I would suggest the people up in Sudbury today are saying that's where it's coming from:

\$40 million out of Sudbury today is part of the final announcement from the restructuring commission. There is \$1.3 billion being cut in hospitals, with thousands of nurses and other health care workers being laid off. Those low-income health care workers are paying for this agreement today, an agreement that the minister won't even tell us how much it will cost, but we know it's in the tens and hundreds of millions of dollars, and this is simply an interim agreement.

1400

We've got hospital closures, we've got nurse layoffs, we've got health care layoffs, we've got a system that is still in crisis, and the only thing we've got is a tentative agreement that the government says is going to resolve the problem of underserved areas in the province. The fact of the matter is, if you take a look at the agreement, it will not solve the problem of underserved communities. There's an attempt to use some incentives and some penalties, but if you take a look at it, it won't work.

There needs to be some fundamental reform of the health care system. We need to move towards having an integrated health care system. We need to move towards a system that recognizes all the health care professionals and uses them to their maximum. We need to have a health care system that moves more radically away from the fee-for-service system in this province and moves to a system that uses capitation and salary and other mechanisms that will adequately compensate doctors but will also recognize that there are other professionals who need to be compensated. You can't compensate doctors at the expense of patients and hospitals and nurses.

This is a failure. The process has been a failure, and the minister didn't give all the goods in the House today.

ORAL QUESTIONS

OMA AGREEMENT

Mr Dalton McGuinty (Leader of the Opposition): My question is for the Minister of Health. It appears you've reached a deal with Ontario's doctors. Our concern is what it's going to cost patients. The last time your government had a tentative deal with Ontario's doctors, your predecessor was willing to force patients to contribute to the deal through over \$50 million in new user fees and delisted services. Can you tell us how much this deal is going to cost Ontario patients, and more specifically, what medical services currently covered by OHIP will you force them to pay for?

Hon David Johnson (Chair of the Management Board of Cabinet, Minister of Health, Government House Leader): There are no current services covered by OHIP which are forced to be paid by the people of Ontario through this deal. This deal is one, though, I will assure the Leader of the Opposition, that does increase access to health services for the people of Ontario. Particularly in northern Ontario and many other parts of Ontario, we do not have a sufficient supply of doctors. This deal will recognize that problem by providing about \$45 million worth of incentives in a general sense to guide doctors into underserved areas, and at the same

time there's what is called a differential which in a sense penalizes new doctors from going into overserved areas.

Mr McGuinty: I want to bring to the public's attention some of the fine print found in this deal. In that fine print, the government's going to create a new commission and the role of that commission will be to revise the schedule of benefits. In other words, what we're talking about here is looking at delisting services. What this means is that there are medical treatments covered by OHIP today which we're going to have to pay for tomorrow.

People are already concerned that they're going to have to start paying for things like annual physicals. They're fearful that they'll not have access to services currently covered by OHIP. Minister, I want to give you an opportunity to allay those fears. Can you guarantee that your deal with the doctors will not force patients to pay for a single service currently covered by OHIP? Yes or no.

Hon David Johnson: Clearly, this deal does not force anybody to pay for any services, but this deal does allow for ongoing discussions with the physicians. As we've heard from the critic from the official opposition, there needs to be discussions with doctors. We're pursuing that and the Ontario Medical Association has made it very clear that those kind of discussions are needed. We have committed, through the Ontario Medical Association, through the government, to looking at ways to make the health care system more effective, to look at ways to reduce costs at the same time as we're allocating costs for underserved areas, for example. So the net benefit from this contract, from this deal, will be better access to more services across Ontario, more equally distributed, yet it will recognize the needs of the physicians in Ontario.

Mr McGuinty: We can take it from this that we are definitely looking at delisting services and new user fees. What we're going to see is another manifestation of this government's breaking of its key election promise of no new user fees for health care in Ontario.

Minister, you're treading down, and you should know this, a very dangerous path. You're bringing us one step closer to substandard, two-tier, American-style health care. I want to ask you again, can you stand in your place and guarantee to the people of Ontario that you will honour your election commitment of no new user fees, that they will not have to pay out of pocket for any medical services currently covered? Can you guarantee that to the people of Ontario today?

Hon David Johnson: I'll give you the same guarantee we gave during — as a matter of fact, before the election, during the election, after the election, that this government will adhere to the principles of the Canada Health Act. We have promised that. We have lived up to that.

Another promise I'll give to the Leader of the Opposition is the promise that we will protect the health care envelope. Indeed, before the election we indicated that we would protect the \$17.4 billion, that we would protect the Canada Health Act. Today we find a government that remains committed to that. We have not only protected the health care envelope, we are spending \$17.7 billion, \$300 million more, even in the face of a reduction from

Ottawa, from the federal Liberal government, of \$2 billion in health care, even in the face of that reduction. Perhaps the Leader of the Opposition would care to talk to his colleagues in Ottawa, having reduced \$2 billion. Even in the face of that, we live up to —

The Speaker (Hon Chris Stockwell): Thank you, Minister.

New question, leader of the official opposition.

Mr McGuinty: I guess we better get ready. Here they come, user fees and delisted services, a new part of health care in Ontario.

MUNICIPAL RESTRUCTURING

Mr Dalton McGuinty (Leader of the Opposition): My question is for the Deputy Premier. I want to ask you about your government's plans to amalgamate Metro municipalities. By any objective measure this is a fundamental change that's going to have a profound impact on the lives of the people living in Metro for at least the next 50 years. It's going to directly affect the services they receive, their schools, their taxes, their sense of community and their quality of life.

Three and a half months ago, your government issued a report that stated, "Certain questions of public policy are so fundamental that they should be decided using referenda." Given the kind of change you're talking about, given that by any objective measure this is a most fundamental change, why will you not allow the people a say through a referendum on this very important issue?

Hon Ernie L. Eves (Deputy Premier, Minister of Finance): To the leader of the official opposition, he is indeed correct when he says that this is a very important issue with respect to Metro. The reality is that there have been numerous studies done on municipal government, and Metro municipal government in particular, over the last number of years. The time for action has long since passed. It is time you had a government at Queen's Park with the initiative to proceed to do what's in the best interests of the residents of Metro in the long term.

Mr McGuinty: I guess from the government's perspective you hold a referendum if you're going to get the answer you want, but if you're not going to get the answer you want, then you don't hold the referendum.

No one really believes the amalgamation is going to save money. Let me tell you what your friends at the Canadian Taxpayers Federation say: "The perceived savings are far less than the higher costs which would be associated with a megacity government."

There's no doubt about it, there are some very real concerns out there about your amalgamation and that in particular it's going to lead to higher property taxes. Minister, I want to give you this opportunity to allay those concerns. Will you add a provision to your legislation to guarantee that property taxes will not increase as a result of your amalgamation?

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Hon Mr Eves: As he well knows, the Minister of Municipal Affairs and Housing has asked a very respected consulting firm, KPMG, to study the potential savings by having one level of government as opposed to several levels in Metropolitan Toronto. He has deliberately asked

their numbers to be conservative, their approach to be cautious and prudent, as indeed we have tried to take that same approach with our fiscal situation in Ontario. We expect that report due back shortly, and I am sure that when that report is submitted it will be there for all to see what an independent consulting firm thinks of potential savings in this area.

Mr McGuinty: That's a very interesting study. I think it's rather unique in the annals of government studies. It's the first time we've ever given a consultant the conclusion and asked them to come up with the evidence that would support it.

In the last election Mike Harris pledged that a referendum must be held before raising taxes. The Canadian Taxpayers Federation says your plan to amalgamate the municipalities in Metro is going to do exactly that. It's going to raise property taxes. Given that this is a fundamental change in the way people in Metro are governed, given that this was no part of the Common Sense Revolution — in fact, as I recall, you promised the opposite — and given that this will result in some people paying higher property taxes in Metro, I ask you again: Will you allow a referendum on your megacity before you ram this through?

Hon Mr Eves: Our government is about fewer politicians, less government, ending waste and duplication in the system, and we are confident that this will lead to savings for the taxpayer.

With respect to the issue of a referendum, you might want to read what your colleague the member for Hamilton East, Dominic Agostino, and Hamilton Centre member David Christopherson have to say about referendums: "Referendums are not useful in sorting out municipal restructuring. The danger is that you could end up where you govern by referendum all the time. That becomes costly and time-consuming." Their remarks, not mine.

Mr Tony Silipo (Dovercourt): My question is to the Deputy Premier. Your Minister of Municipal Affairs and Housing has been going on about how amalgamation will save money by merging fire departments and other services in the new megacity, and he's been boasting that your KPMG study will show \$850 million in savings. But we also see Toronto Fire Chief Peter Ferguson saying that he hasn't been consulted on the megacity and neither, for that matter, have other fire chiefs in Metro. You haven't asked them how to save money and deliver service to make our homes and businesses safer, and the chiefs are worried, and they should be worried, that amalgamation will mean fire services will be reduced.

My question to you is this: How can your KPMG study have any credibility if the people who are carrying out the study won't talk to the people who actually put out the fires and deliver the other services in Metropolitan Toronto?

Hon Mr Eves: As the honourable member well knows, we don't have the results of the KPMG study, and I presume —

Ms Frances Lankin (Beaches-Woodbine): But you know how much money is going to be saved.

Hon Mr Eves: No, I have no knowledge of how much money that will save whatsoever. The results of the study

will speak for itself. The results of the study, I say to the member for Beaches-Woodbine, will speak for itself.

Surely we want to do something that is in the best interests of taxpayers, and fewer politicians and less waste and duplication in the system surely is going to lead to savings for the taxpayers not only in the province of Ontario but indeed in Metro as well.

Mr Silipo: The Deputy Premier says they want to do what's in the best interests of taxpayers, but I find it really interesting that they continue to refuse to talk to those same taxpayers. Is this another continuing case of Big Brother knows best and therefore you're just going to tell people what is going to go on, without talking at all to the people of the province who are affected by these changes and the people who are delivering these services?

Let's come back to the question of fire services. Toronto Fire Chief Ferguson says that Toronto needs specialized fire services because of the number of tall buildings in the downtown core, the number of tunnels in the core and the number of old buildings. The East York chief says if you're going to save \$40 million, there's only one way to save it. That's 700 bodies, 700 firefighters gone.

You say you're not going to reduce fire services; we'll see all that's going to come out in the study. The people who put out the fire are afraid that that's exactly what you're going to do.

The Speaker (Hon Chris Stockwell): Question.

Mr Silipo: I just want to ask you, what gives you and what gives the people at KPMG the right to say that you know better than they do whether fire services should be reduced as a way for you to carry out your agenda?

Hon Mr Eves: As the honourable member well knows, this entire issue of Metro governance will be going to committee. There will be an opportunity for the public in Ontario and indeed Metro to have input. They will have the opportunity to come and let their points of view be known. At the end of the day, that is how this process has worked in this House for many decades. As I said earlier in a response to a question by the leader of the official opposition, there have been over 60 studies in this area with respect to municipal governance. It's about time that action was taken.

Mr Silipo: There have been lots of studies; we don't disagree with that. The problem is you haven't followed any of those studies. We don't have any faith in you saying, "We'll bring a piece of legislation, we'll put it in front of committee and we'll listen to what people have to say." Your track record shows you don't hear what people say.

Are you telling me now that if people come before this legislative committee and tell you to a person that they are opposed, as they will tell you, to this megacity concept, that you're prepared to withdraw that proposal? Are you prepared to say that today? If not, why are you afraid to do in this case what you are so strong in promoting in other cases and put the issue to a referendum, as we have been saying and as 75% of the people in Metropolitan Toronto have been saying? Why won't you do that?

Hon Mr Eves: First of all, there will be every opportunity, as I said in my previous answer, for public input, for people to come to committee and let their points of view be known.

With respect to amalgamation of fire services, the member will well know, being a resident of Metro Toronto, at one point in time there were many different police services in Metropolitan Toronto. They were amalgamated. Did police service go down because there's now one Metropolitan Toronto Police department? That rationale surely does not hold any water.

With respect to referendums, I'd refer the member to the remarks I made in my answer to the leader of the official opposition. He might want to talk to the member for Hamilton Centre and see what he thinks about referendums in this issue.

HOSPITAL FINANCING

Mr David S. Cooke (Windsor-Riverside): My question is to the Minister of Health. Today the Health Services Restructuring Commission made its final announcement in Sudbury regarding health care in Sudbury and northeastern Ontario. The decision says there will be a net of \$41 million taken out of Sudbury and northeastern Ontario for health care. At the same time, there is nothing specific about your government's commitment to community services, which are going to be absolutely essential because the hospital stays will be shorter and there will be more demands on the community, because that's not part of the commission's mandate.

Minister, people in that community are worried about the job loss and the gaps that are going to exist in the health care system. What is your government's commitment to community services?

Hon David Johnson (Chair of the Management Board of Cabinet, Minister of Health, Government House Leader): To the member for Windsor-Riverside, the report, as he mentioned, has just been delivered and I have just recently received that report. I'm studying it.

I think the report recognizes a couple of situations that the community has brought to the attention of the restructuring commission, and I'm delighted to see that it has. There are additional acute care beds, for example, additional mental health beds, additional operating rooms. In terms of the commitments, you can rest assured that this government will be looking at this issue over the next couple of weeks and, as we did in the case of Thunder Bay, there will be announcements in Sudbury early in the new year with regard to capital and with regard to reinvestment.

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Mr Cooke: You haven't made any commitments to community services in Thunder Bay. You've made a commitment on capital, and that's it. The people in that community are concerned are well.

The CEO for the commission, Mr Mark Rochon, said today that the commission hasn't looked at community-based services. They do not know if the current provision of community care is sufficient to meet current needs or future needs. They do not know what the future needs will be, not only in Sudbury but in the entire region.

They haven't put together the data. That's not part of their mandate.

You've just said that you're going to make an announcement within the next couple of weeks. What studies have you carried out in order to properly document the need for community services in that community and northeastern Ontario so that there won't be gaps, so that patients won't be out of hospitals more quickly with no services to go into? What are those services? What are those studies that you've carried out so that there aren't those gaps? Or are all these cuts simply to fund today the doctors' agreement and your tax cut?

Hon David Johnson: The announcements today in fact emanate from the government of the member for Windsor-Riverside. The member for Windsor-Riverside will know that a couple of years ago his government, then in place, put together some \$26 million to fund the district health council reports, one of which is the one we're talking about from Sudbury. Those reports are coming in, indeed most of them came in to him and the previous government, in terms of restructuring. His government was committed to restructuring, to using moneys more wisely, more effectively, to reinvest, and that's exactly what this government is going to do. We are simply following up, and wisely so, I would say, on the initiatives of the NDP government.

In the case of community care, for example, the government has announced, province-wide, \$170 million in community care investment across the province. In the case of Sudbury in particular, the report having just been issued today, I will say a prudent course would be to look at that report —

The Speaker (Hon Chris Stockwell): Thank you, Minister.

Mr Cooke: I'm glad the minister sees the wisdom of the commitments our government made to health care. Therefore, I would like to ask him, will he repeat the commitment our government made, that is, that every dollar saved through hospital restructuring will be reinvested in the community where the savings are achieved? Will you repeat that commitment today?

Hon David Johnson: The commitment of this government is well known, well known from before the election, during the election and after the election. In fact, we have committed to protecting the health care envelope, the \$17.4 billion. Notwithstanding a reduction from the federal Liberal government, the health care envelope of \$17.4 billion will be protected. You can bet that at the end of the day, before the next election, there will be at least \$17.4 billion invested in all health care in the province. And one more thing you can count on: The system will be restructured and it will be a better system delivering better services to the people of the province.

The Speaker: New question.

Mr Rick Bartolucci (Sudbury): My question is to the Minister of Health also. As your Health Services Restructuring Commission brought down its final axe on Sudbury, it was with great sadness that the people of Sudbury had to sit and watch as your government strips away the life and essence of health care in our community, leaving only a hollow shell where there once was a vibrant, reliable and accessible set of health care facilities.

In the Common Sense Revolution, you and your government promised that there would be no reduction to health care spending, not one cent. Let me tell you, the people of Sudbury are not going to be at all mistaken about that broken promise, as \$40.7 million is taken out of the health care system in our community. You said not one penny; I'm telling you that's over four billion pennies.

My question to you is this: Where is the \$40.7 million going? It's leaving Sudbury. Where is it going?

Hon David Johnson: I think I can understand the position of the member for Sudbury, him being where he is, but I would remind him that, for example, the head of Memorial Hospital emergency ward said, and this apparently was in the Sudbury Star of October 1: "Personally, I think this is a victory for the patients of Sudbury and northeastern Ontario. Someone has finally had the courage to bring common sense, some economic sensibility to a rather chaotic situation. In my view, the patients are going to be the winners in this."

Clearly, there are those in the health care system who understand the need to restructure, in Sudbury and right across the province. People know that at \$17.4 billion, which we've agreed to protect, and this year in fact \$17.7 billion, there is enough money in the system. What we have to do now is determine, with the assistance of the restructuring commission and experts, how do we use that effectively? That's what we're doing in Sudbury.

Mr Bartolucci: Let's not talk about one or two quotes, because I can get you hundreds of quotes from all over northeastern Ontario about the disaster you're causing, your havoc, that your health care direction is all wrong.

Let's talk about your figures, your directions and your recommendations. You exclude any dollars for a labour adjustment policy. Minister, your appointee to the commission, George Lund, said this morning that he estimates about 500 jobs will be lost due to restructuring. Furthermore, your Health Services Restructuring Commission has decreased the size of the system by 226 acute care beds and 197 beds in total, yet you make no mention of additional moneys for either repatriated or transitional care beds.

My question is twofold: What do you tell these 500 highly qualified health care providers who are about to be axed? Second, have you and your ministry calculated how many Sudburians and northeastern Ontario residents will have to travel south for treatment?

Hon David Johnson: I'm glad that the restructuring commission has had the opportunity to discuss its recommendations with the people of Sudbury and has amended its recommendations, has in fact added acute care beds, has added mental health beds, has added nine neo-natal intensive care beds. They have responded.

I think the situation is obvious, that all members of this House — for example, the member's own leader, the Leader of the Opposition, is quoted as saying: "I would have as an overriding objective the improvement of our health care system, an integrated, universally accessible health care system. A component of that might be hospital closures."

Clearly, we all recognize the need to restructure to make the system more effective, and I believe that's what the restructuring commission has done in Sudbury.

Interjection.

The Speaker: Member for Sudbury, you've got to come to order, please.

EDUCATION FINANCING

Mr Bud Wildman (Algoma): I have a question to the Minister of Education and Training with regard to the tabled report of the Advisory Panel on Future Directions for Postsecondary Education. The panel recognizes in its first recommendation "the current serious inadequacies in total financial resources available to post-secondary education." Its second recommendation is that the provincial government's support for universities and colleges in Ontario should be comparable to the average for other Canadian provinces and be reasonably in line with government support of major public university and college systems in the United States.

My question is quite simple. What is the minister's response? Is he prepared to accept the recommendation and provide the resources to the post-secondary system — colleges and universities — required to make it comparable to the United States and comparable to the average in Canada?

Hon John Snobelen (Minister of Education and Training): I want to thank the member opposite for the question. Yes, in fact we have received the report on time from the Advisory Panel on Future Directions for Postsecondary Education. Dr Smith and his panel have consulted with people right across the province who have a concern for post-secondary education. They presented us with some 18 thoughtful recommendations. I think they've addressed the questions we put to them and I'm very pleased to receive that report. I have not yet read the report in full. I will do so in the immediate future and we will be responding to all their recommendations, including the recommendation alluded to by the member opposite.

I understand that the financing of post-secondary education in this province has been a subject of concern for many years. In fact, Ontario has been about 10th out of 10 provinces in terms of its funding as measured in the terms put by the member opposite. However, it's important to note that in this sector this government will commit \$3 billion this year in total support, including support for students, which has been enhanced this year. We will digest this report and look at all those recommendations.

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Mr Wildman: I guess I was hoping for too much. When the minister said yes, I thought he was just saying yes to the recommendation; unfortunately he was saying, yes, he'd received the report.

The minister says he's going to consider these recommendations. I want to draw his attention particularly to recommendation number 2, where the chair of the panel, Dr Smith, says, "The goal should be achieved by arresting reductions in government grants now." Arresting the reduction: While the minister says this has been a problem of long standing, I would point out that Dr Smith says, and said at the press conference, that colleges and universities in Ontario are about \$480 million short of the

average of other provinces in grants from this government. Recognizing that the minister and his government have cut \$430 million in funding to post-secondary education, that means all but \$50 million of this is a result of this government. Is the minister prepared to restore the average, the \$430 million he took out of —

The Speaker (Hon Chris Stockwell): Thank you, Minister.

Hon Mr Snobelen: I know it strikes the member opposite, as he would say, as passing strange that a government would bother to read the report before responding to it, but that in fact is our posture.

I would point out to the member opposite again that there are many measures of support for that post-secondary sector in Ontario. Included in that are, additional, about \$200 million in student supports directly that this government will be putting out over the next year, and of course a \$100-million commitment to match private sector funding for an Ontario student opportunity fund.

So the funding for post-secondary comes from a variety of sources, and most important is the funding for our students. We will take this recommendation by the advisory panel seriously, as we will all 18 recommendations, and we will respond to them quickly because we believe the post-secondary sector in Ontario is important to the future of Ontario.

McMICHAEL CANADIAN ART COLLECTION

Mr Ted Arnott (Wellington): My question is for the Minister of Citizenship, Culture and Recreation. As you know, in 1965 Robert and Signe McMichael made a historic contribution to our cultural life by donating to the crown their fine collection of Tom Thomson and Group of Seven paintings along with the works of other selected artists. Over the past 30 years, the McMichael Canadian collection has provided us with a window on ourselves and our beautiful land, as seen through the eyes of our finest artists.

A recent court decision has essentially said that the terms and conditions of the 1965 agreement between the McMichaels and the province should continue to be honoured in full. The minister has indicated her intention to appeal this decision to a higher court. Will the minister explain to the House why she is appealing this decision?

Hon Marilyn Mushinski (Minister of Citizenship, Culture and Recreation): Thank you, to the member for Wellington. The government is appealing the judge's decision because it essentially made the operations of the gallery unworkable. In other words, there were ongoing disputes with respect to new acquisitions and what the role of the trustees would be and what the viability of the gallery itself would be.

The government, I believe, has a responsibility to the public and to the many donors, including Michael and Signe McMichael, to ensure that the McMichael Canadian art gallery is effectively managed.

Mr Arnott: I want to thank the minister for this explanation and add in reply that in the opinion of many people, the public interest will be served very well if this issue could be resolved through reasonable discussion rather than litigation. Will the minister today indicate her

willingness to meet and work with the McMichaels to find a resolution to this matter?

Hon Ms Mushinski: Again, to the honourable member for Wellington, we do believe that a resolution to the issues surrounding the McMichael Canadian Art Collection can best be found through direct discussions with Mr McMichael. Indeed, Mr McMichael has indicated a willingness to join with us and work with us towards that goal.

On CBC television this past Thursday, Mr McMichael was quoted as stating, "I hope things will be resolved with a series of meetings," and I am delighted as they are willing to discuss this further.

HOSPITAL RESTRUCTURING

Mrs Elinor Caplan (Oriole): My question is for the Minister of Health. At the leaders' debate during the last election, Mike Harris said, "Well, certainly I can guarantee you that it is not my plan to close hospitals." That's what the now Premier said then. Minister, do you intend to honour the Premier's promise?

Hon David Johnson (Chair of the Management Board of Cabinet, Minister of Health, Government House Leader): I think it's pretty clear that this government has lived up to its promises: its promises to protect health care; its promises to protect at least \$17.4 billion, indeed \$17.7 billion this year; its promise to protect the principles of the Canada Health Act, which we have done and which we remain committed to; and its promise to look at all aspects of government to make sure they're more efficient and deliver better services to the people of Ontario at reduced cost, except in the case of health care, where there will be at least as much money invested.

Mrs Caplan: The Minister of Health will know that the Premier was very clear when he said, "Well, certainly I can guarantee you that it is not my plan to close hospitals." That was his quote and that's what he said. Therefore, Minister, you should be ashamed of that answer.

If it is the case that you proceed to close hospitals after what your Premier said, then I believe your Premier must resign because he also said very clearly in that election campaign that he would resign if he did not keep his promises, and his promises to the community hospitals were very, very clear.

The Conservative member for Lambton knows how important local hospitals are. Tomorrow he's sponsoring three busloads of people from Petrolia who are coming to the Legislature to remind the Premier of his promise. They're going to tell you that they want their local community hospital to remain open to provide care, especially urgent emergency care. We support and share their concerns.

Minister, what do you say —

The Speaker (Hon Chris Stockwell): Member from Oriole, thank you.

Interjection.

The Speaker: Come to order, please. When I stand, you must come to order. Minister.

Hon David Johnson: What I would say to the people of Ontario is that we remain committed to the health care

envelope. There will be at least \$17.4 billion. We remain committed to spending that money effectively and wisely. We remain committed to the principles of the Canada Health Act, as we said we would.

On the other hand, if we look back in time to 1989, the government represented by the member opposite froze long-term-care beds, for example, in the province. Consequently, we've had no new long-term-care beds. This government is sitting down with the associations involved with long-term care and is trying to solve that problem.

Indeed, over the last several years, since the late 1980s, the number of beds in hospitals has been reduced first by the Liberal government, next by the NDP government, without addressing the capital structure. We are working with local communities to invest wisely so that our hospital care will be better, and we're doing that by protecting the health care budget.

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FAMILY SUPPORT PLAN

Mrs Marion Boyd (London Centre): My question is to the Attorney General. My office confirmed this morning, Minister, that Manpower temporary agency booked a boardroom at the Sheraton Centre last week for three days, where they set up a phone bank to work on the family support plan. This cost the taxpayers of Ontario \$1.25 per local call plus long-distance calls, which added up to a total of \$14,000.

Not only have you created chaos by shutting down the regional offices and laying off 290 experienced staff, with the result that thousands of women and children have not received their support, but now your efforts at damage control are costing the taxpayers of Ontario more unnecessary dollars. In addition to the severance costs and the costs to discharge regional office leases, the family support plan now pours money into phone companies, private hotels and private temporary agencies, but women and children still don't get their payments.

Is it now your ministry's practice to conduct government business outside of the already-paid-for government offices using temporary, untrained help from private agencies?

Hon Charles Harnick (Attorney General, minister responsible for native affairs): What I can tell the member is that in the first week of December 1996, \$15.8 million was sent to families. In the first week of December 1995 under the old plan, only \$11.8 million was sent out. We are endeavouring to ensure that cheques that have perpetually come into the plan month after month in wrong fashion are going to be corrected by employers and income sources who are sending money in. We are endeavouring to move this plan closer to electronic banking so that we no longer have to deal with sorting cheques by hand and delaying payments to women and children.

Mrs Boyd: Minister, time and again we've raised case after case of women and children who were receiving regular payments from the plan until you closed the regional offices and laid off those staff. You repeatedly tell this Legislature that the problems with the transition have been fixed, but it's not the case.

On Friday, your assistant deputy minister of business improvement, ironically enough, Angela Longo, admitted to the Globe and Mail and National Action Committee representatives — I'm quoting from the Globe and Mail — that "many families are in dire financial straits as a result of paralysis within the family support plan, which funnels support payments from non-custodial parents to children. 'We're in the process of making the program the best we can'.... 'That'll take several months. We're in the middle of the process.'" She would not give any estimate of when the new plan would be fully operational or when families whose payments have been stalled can expect to get their money.

Minister, how can you stand here and ramble off figures about how many cheques you've mailed and how many calls the plan answered when your own assistant deputy minister cannot guarantee to women and children that they'll receive the support payments which have been deducted and submitted by —

The Speaker (Hon Chris Stockwell): Thank you. Attorney General.

Hon Mr Harnick: In fact, the amount of money that the plan is now paying out exceeds the amount of money that has ever been sent out by this plan before.

The other thing is that for a long time this plan has been allowed to operate when three out of four people who have orders with the plan were not getting the money they were entitled to, if they were getting anything at all. We have taken steps to correct those problems. We are also taking steps to answer what the auditor has said has been a problem with the technology in the plan, technology that is not adequate enough to get cheques out. We're correcting that and all of the other problems they left to us with a plan that didn't work.

ONTARIO WORKS

The Speaker (Hon Chris Stockwell): New question. The member for Nepean.

Mr Gilles Bisson (Cochrane South): Come on: a real question, John. Put a real question.

The Speaker: Well, let's just wait and see.

Mr John R. Baird (Nepean): I always ask real questions, Mr Speaker.

My question is to the Minister of Community and Social Services. I was reading a column this morning in the Toronto Star, as I read every morning. This column talked about an inspirational story about a single mother getting off welfare. The column attributes her success story to job counselling, child care and training programs. This seems to make very good sense to me and to people in my constituency. Could the minister tell this House what she and her ministry are doing to make sure this happens to others across the province of Ontario?

Hon Janet Ecker (Minister of Community and Social Services): I'd like to thank my honourable colleague for the question. It's always gratifying and I think very encouraging for people to hear about individuals or families who through dint of hard work and use of supports manage to get their family off the welfare system and into paid employment.

I think the column quite rightly points out the very valuable role, in doing that, that job supports like counselling and child care can make in terms of making that happen. That's one of the reasons why our work-for-welfare program, Ontario Works, has job supports like counselling, has child care support, has those other kinds of training things that are very necessary and very important for those families trying to get off welfare.

Mr Baird: Could the minister provide any early indications, with the whole host of welfare reforms that the government has undertaken, that this approach that she and the ministry are taking with Ontario Works will be effective in the province?

Hon Mrs Ecker: As the members opposite will know, we have had over 200,000 fewer people trapped on welfare in the last year in the province. The vast majority of them have been going into paid employment, have been leaving welfare for employment-related reasons, according to the independent research that we did.

We're also hearing some very encouraging stories from the municipalities that are involved in workfare. As a matter of fact, I did an interview the other day with a reporter who had been interviewing people who are participating in workfare who were very pleased with the service they were getting and quite optimistic about their prospects.

Finally, I think it's worth noting that Shirley Hoy, in a report to the Metro human services committee, recently talked about a report that the US General Accounting Office had done which said that the most successful welfare-to-work programs offered participants an expanded mix of education, training, employment services and increased child care assistance while mandating some form of client participation.

VIDEO LOTTERY TERMINALS

Mr James J. Bradley (St Catharines): I'm going to address my question to the Minister of Community and Social Services because I think it fits within her purview. I know she'll pass it to somebody else if it doesn't.

Lucy Blais of the National Council of Welfare was talking about a report that was released today by the National Council of Welfare on video lottery terminals, those one-armed bandits or electronic slot machines that you want to put in every bar, in every restaurant, on every street in every neighbourhood in Ontario. Ms Blais of the National Council of Welfare has stated that it is their opinion after much study that any video lottery terminals, electronic slot machines, should be placed only in controlled gambling places such as casinos; in other words, where there's a controlled gambling place in existence.

Do you agree with her? If you do, will you inform the Premier so that you're not putting them in every bar and every restaurant in every neighbourhood in Ontario?

Hon Janet Ecker (Minister of Community and Social Services): I think those are very valid points and I'm sure my colleague the Minister of Consumer and Commercial Relations would like to answer them.

Hon David H. Tsubouchi (Minister of Consumer and Commercial Relations): Thanks for the opportunity

to answer the question. As everyone knows right now, Ontario will be introducing video lottery terminals. They'll be the lowest per capita number of machines in the country. We will be the ninth province in the country to be entering into this initiative.

I'd like to point out what the province of Ontario is doing. We're going to be dedicating about \$9 million to dealing with problem gambling for education, for prevention and for a number of other initiatives. I might point out that in prior governments, when the casinos were introduced by the NDP government, they did allocate \$1 million to go to problem gambling, but when the Liberal government introduced roving casinos and Monte Carlos, they allocated no money.

Mr Bradley: To the minister, the reason, of course, that you are having to increase this is you're increasing the problem a thousandfold. In Manitoba, 92% of addicted gamblers seeking help from the Manitoba Addiction Research Foundation said that VLTs, video lottery terminals or electronic slot machines, were the problem for their addiction.

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Minister, recognizing that this preys upon the most vulnerable people in our society, the most desperate, the most addicted, because it's the most alluring and seducing kind of gambling, will you now come to your senses and will you give a commitment to this House that you will not allow electronic slot machines, VLTs, into bars and restaurants and neighbourhoods in this province?

Hon Mr Tsubouchi: What I might point out to the honourable member is that the Addiction Research Foundation report that was issued last fall indicated that in Ontario approximately 1% to 2% of the population would have gambling problems.

I might indicate as well that Dr Room, the vice-president of the Addiction Research Foundation, said that the 2% of the gross revenues that the province will be allocating to problem gambling will certainly mean that the government could build some treatment centres for people with gambling addictions. They indicated clearly that this is money that could deal with people who need the facilities now, but they certainly say there is some light at the end of the tunnel because of our allocation of around \$9 million each year.

COMMUNITY WITNESS PROGRAM

Mr Tony Martin (Sault Ste Marie): My question is for the Attorney General and it concerns the victim/witness program. Lately you've been making announcements of some new programs being set up, and we know that when we introduced the surcharge to fund those programs Sault Ste Marie was on the top of that list to get a program. When can Sault Ste Marie expect to get a victim/witness program for its community.

Hon Charles Harnick (Attorney General, minister responsible for native affairs): Certainly we are looking at expanding this program to as many centres as we possibly can, and as funds become available those expansions will be entered into. The member is quite right. This is a very important program; it's a program that assists witnesses going through a court process that's very

difficult for them. We want to ensure that the program can be in as many centres across the province as we possibly can manage, and we will be looking at continuously expanding this program as funds become available.

Mr Martin: That's interesting, Minister. My supplementary is around the criteria you will use to make those decisions. You will know that Sault Ste Marie has had a number of very high-profile and complicated cases lately, over the last few years, and yet just recently you announced a program for North Bay. We know that this government is very anxious to assist the Premier's own jurisdiction, given that they're going to lose 22,000 jobs in that area. You have already, as a government, moved offices in education, agriculture, OPP and fire over there. Are you going to base the decision around where the next victim/witness program is located on need as opposed to political expedience?

Hon Mr Harnick: The decisions about expansion of this program have been made by people in the Ministry of the Attorney General who are quite aware of the demand for the program. On that basis, they've determined where the program should be.

I might tell you that we've doubled the size of the program from 13 to 26 centres, something that should have been done a long time ago and could have been done a long time ago if the resolve to do it had been there.

EDUCATION PROGRAM EVALUATION

Mr John O'Toole (Durham East): My question is to the Minister of Education and Training. I have had many town hall meetings in my riding of Durham East on the subject of education. Parents want their children to have training and education that will allow them to be competitive in the world today. However, international tests have recently shown that our students' results are below the best in the world. In fact, recent results rank Ontario students last within Canada and only achieving the international average.

Minister, we're paying the most for education. Could you tell me what action you're taking to ensure that our students have the best, affordable, highest-quality education?

Interjections.

Hon John Snobelen (Minister of Education and Training): I want to thank the member for Durham East for the question and also for the concern about the achievement of our students here in Ontario. I know that the member for Durham East, as do all my other colleagues — unlike the members opposite, apparently, from their comments a few moments ago — measures the success of our school system and the results of our students not in the amount of money spent. Surely we are number one in spending. Unfortunately, we're not number one in student achievement.

Our government has addressed how we can have the excellent teachers and the excellent students we have in Ontario achieve better. We believe that a big part of the answer is to have rigorous and demanding curriculum that focuses our resources, focuses our teachers and our students on the basics, on reading and writing, spelling

and grammar, math, science, geography and Canadian history. And we must have, we absolutely must have, very clear standards that are measurable in every single grade.

Mr O'Toole: I support fully the idea of having measurable outcomes. How will parents know what these standards are supposed to be? How are they supposed to know what they're achieving and how will they hold the educational system itself accountable for achieving these standards?

Hon Mr Snobelen: Our ministry has recently, in our pledge to parents, given an outline of the kind of exact standards we would like to have students achieve right across the province, including that after grade 6 every child in the province should be able to use simple, compound and complex sentences to organize a paragraph, and as an example of the requirements after grade 9, every student should be able to plot a graph that represents $y = 2x + 1$. Those are the kinds of standards we believe parents should know about.

In addition, we will have standard province-wide tests for students in the province and we will have very clear report cards for students and for their parents. In addition to that — and I'm very proud of this — we will also ask parents and taxpayers to rate the Ministry of Education and give the Ministry of Education a report card every year. That's a first step towards accountability in our system.

APPRENTICESHIP TRAINING

Mr Richard Patten (Ottawa Centre): My question is to the Minister of Education and Training. I think the minister knows that we are not the biggest spenders in Canada on a per pupil basis. We're probably about sixth, and after next year we'll probably be 10th, as we are with colleges and universities.

I'd like to point out — and I'm sure you will be aware of this — that the number one concern in Ontario is jobs. Over the last 18 months we have heard little from you regarding training needs for Ontarians.

We now hear that the province is considering a proposal to hand over apprenticeship training to the college system. Minister, what consultations have you had with the stakeholders in the training in the apprenticeship area?

Hon John Snobelen (Minister of Education and Training): I want to thank the member for Ottawa Centre for the question. Just to help him out with the preamble, it depends, in how much Ontario spends relative to other provinces, whether you include all the costs or not. I'd invite the member opposite to join us in a brief on that some day, if he'd like to get the full facts.

As far as jobs are concerned, my colleagues have announced on several occasions our proud record in job creation in this province. That's something I'm proud of as part of this government. Second, I was pleased to stand in this House last year and announce an increase in the number of jobs for students in the province, I think another proud piece of our record as a government.

As far as apprenticeship is concerned, this is something very near and dear to my heart personally. I know a lot about the apprenticeship programs in the province; I've

had direct contact with apprentices, and I can assure the member opposite that before we do reforms to apprenticeship which are necessary and needed in this province, we will do broad-based consultations.

Mr Patten: The industry at the moment conducts about 40% of all the training in Ontario in apprenticeship training, yet there have been no discussions with the industry or the training institutes or anyone involved in the training field among the trades and the industries. Will you assure the House that when you proceed to change the apprenticeship training program, you will consult all trades, all industries affected in Ontario in terms of the delivery training services needed? They are the bodies that know best what kinds of training needs to take place within the industries.

Hon Mr Snobelen: I'm pleased to report to the member opposite that no one needs to inform me of the importance of that skill development in the province, the importance to our future, and also the situation our apprentices find themselves in. I of course have some personal knowledge in that area. When we do the necessary reforms to the apprenticeship program in Ontario we will consult broadly with apprentices, with the industries, with the employers, and see what exactly is needed and how the province can support the development of those necessary skills.

I know the member opposite and his colleagues join us in being very happy that in fact — unfortunately, in Canada youth employment has gone down, but over the last year in Ontario youth employment has gone up.

R.L. HEARN GENERATING STATION

Ms Marilyn Churley (Riverdale): My question is to the Minister of Environment and Energy. Ontario Hydro is selling off part of the R.L. Hearn generating plant, which is located in my riding. Ontario Hydro refuses to tell us who is buying it and for what purpose. Minister, I would like you to tell us today, first of all, did this site go up for tender before it's sold off, and if not, why not?

Hon Norman W. Sterling (Minister of Environment and Energy): I believe Ontario Hydro is trying to improve its financial situation. This particular site is surplus to their needs and therefore they have put it up for sale. You'll have to refer to the chairman of Hydro with regard to the details of it. I'll take it on notice and come back to you with an answer on the specific details that are public.

Ms Churley: I'd say to the minister that residents in my community are very concerned, for good reason. They're concerned about the possibility of hospital waste being burned there. They're concerned about solid waste incineration down the road. They cannot get any answers from Ontario Hydro. You are accountable, and I want you to tell me whether or not this went out to tender. We would like, at the very least, to have information as to who the interested party is. Why can't the community get that very basic information?

Hon Mr Sterling: There have been no indications with regard to what the use of the Hearn generation station might be in the future. They would of course have to follow any environmental rules, they would have to

follow any zoning bylaws of the city, they would have to follow all of the other rules with regard to the future use. Your citizens should be as protected as they would with regard to any other private property that people would be selling in the province of Ontario.

As I said before, I would be most pleased to take this on notice and try to fill the member in on additional details as I can receive them from Ontario Hydro on this matter.

BETTER LOCAL GOVERNMENT ACT, 1996

LOI DE 1996 SUR L'AMÉLIORATION DES ADMINISTRATIONS LOCALES

Deferred vote on the motion for third reading of Bill 86, An Act to provide for better local government by updating and streamlining the Municipal Elections Act, the Municipal Act and related statutes / Projet de loi 86, Loi prévoyant l'amélioration des administrations locales en modernisant et simplifiant la Loi sur les élections municipales, la Loi sur les municipalités et d'autres lois connexes.

The Deputy Speaker (Mr Gilles E. Morin): Question period is over. There will be a deferred vote; a five-minute bell.

The division bells rang from 1502 to 1507.

The Deputy Speaker: Mr Shea has moved third reading of Bill 86. All those in favour of the motion will rise one at a time.

Ayes

Agostino, Dominic	Galt, Doug	Patten, Richard
Arnott, Ted	Gerretsen, John	Phillips, Gerry
Baird, John R.	Gilchrist, Steve	Preston, Peter
Barrett, Toby	Grandmaitre, Bernard	Pupatello, Sandra
Bartolucci, Rick	Gravelle, Michael	Rollins, E.J. Douglas
Bassett, Isabel	Grimmett, Bill	Ross, Lillian
Beaubien, Marcel	Guzzo, Garry J.	Runciman, Robert W.
Bradley, James J.	Hardeman, Ernie	Ruprecht, Tony
Brown, Jim	Harnick, Charles	Sampson, Rob
Brown, Michael A.	Hastings, John	Saunderson, William
Caplan, Elinor	Hoy, Pat	Sergio, Mario
Carr, Gary	Jackson, Cameron	Shea, Derwyn
Chudleigh, Ted	Johnson, Bert	Sheehan, Frank
Clement, Tony	Johnson, David	Smith, Bruce
Crozier, Bruce	Jordan, W. Leo	Snobelen, John
Cunningham, Dianne	Kells, Morley	Spina, Joseph
Curling, Alvin	Kennedy, Gerard	Sterling, Norman W.
Danford, Harry	Klees, Frank	Stewart, R. Gary
DeFaria, Carl	Kwinter, Monte	Tascona, Joseph N.
Doyle, Ed	Martiniuk, Gerry	Tilson, David
Duncan, Dwight	Maves, Bart	Tsubouchi, David H.
Ecker, Janet	McGuinty, Dalton	Turnbull, David
Elliott, Brenda	Munro, Julia	Vankoughnet, Bill
Eves, Ernie L.	Mushinski, Marilyn	Villeneuve, Noble
Flaherty, Jim	Newman, Dan	Wettlaufer, Wayne
Ford, Douglas B.	North, Peter	Witmer, Elizabeth
Fox, Gary	O'Toole, John	Wood, Bob
Froese, Tom	Palladini, Al	Young, Terence H.

The Deputy Speaker: All those opposed will rise one at a time.

Nays

Bisson, Gilles	Cooke, David S.	Pouliot, Gilles
Boyd, Marion	Lankin, Frances	Silipo, Tony
Christopherson, David	Marchese, Rosario	Wildman, Bud
Churley, Marilyn	Martin, Tony	Wood, Len

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 84; the nays are 12.

The Deputy Speaker: I declare the motion carried.

Be it resolved that the bill do now pass and be entitled as in the motion.

WRITTEN QUESTIONS

Mrs Elinor Caplan (Orlino): On a point of order, Mr Speaker: I'd like to bring to your attention, and also to the attention of new Minister of Health who is here in this House, that order paper questions, to which commitment had been made would be answered by December 12, have not yet been answered.

They are order paper questions number 662 through 669. I had been told that all of those would be answered either December 6 or December 12. I point out to the minister that today is the 16th. It's important that these be answered and I ask that he undertake to get these answered as quickly as possible.

The Deputy Speaker (Mr Gilles E. Morin): Your point has been made, and I hope that the minister will take note.

PETITIONS

FIRE SAFETY

Mr Rick Bartolucci (Sudbury): This petition is in response to Bill 84. It's to the Legislative Assembly of Ontario.

"Whereas the firefighters of Sudbury and Ontario are very concerned about Bill 84;

"Whereas we feel Bill 84 is unfair;

"Whereas we feel Bill 84 is discriminatory;

"Whereas we feel Bill 84 endangers the wellbeing of the people of Ontario;

"Whereas we feel Bill 84 requires extensive changes;

"Whereas we feel Bill 84 needs broad provincial public hearings before implementation;

"We, the undersigned, therefore petition the Legislative Assembly of Ontario to demand the Solicitor General to rewrite Bill 84 before being enacted into law and only after extensive public hearings across Ontario."

I affix my name to this petition as I agree with it.

OCCUPATIONAL HEALTH AND SAFETY

Mr David Christopherson (Hamilton Centre): I have further petitions from firefighters at Station 111 in Mississauga, CAW Local 4580 in Brantford, Stratford and District Labour Council, OPSEU Local 365 at Trent University and IAMLL 863 in Burlington.

"To the Legislative Assembly of Ontario:

"Whereas it is vital that occupational health and safety services provided to workers be conducted by organizations in which workers have faith; and

"Whereas the Workers' Health and Safety Centre and the occupational health clinics for Ontario workers have provided such services on behalf of workers for many years; and

"Whereas the centre and clinics have made a significant contribution to improvements in workplace health and safety and the reduction of injuries, illness and death caused by work;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario to oppose any attempt to erode the structure, services or funding of the Workers' Health and Safety Centre and the occupational health clinics for Ontario workers;

"And further, we, the undersigned, demand that education and training of Ontario workers continue in its present form through the Workers' Health and Safety Centre and that professional and technical expertise and advice continue to be provided through the occupational health clinics for Ontario workers."

I add my name to theirs.

HOSPITAL RESTRUCTURING

Mr Marcel Beaubien (Lambton): I have a petition.

"We, the concerned citizens and taxpayers of rural Lambton county, object to the notice of intention to issue directions to Charlotte Eleanor Englehart Hospital by the Health Services Restructuring Commission.

"By depriving us of a full-service hospital and taking away all of our acute care beds, this places our lives at risk and denies us the same opportunities for health care as other citizens within the county. Our hospital must continue to provide rural primary care, including acute services and 24-hour emergency care to our taxpayers and voters. We must maintain essential services in our community."

I'll sign my signature to the petition.

CHILDREN'S MENTAL HEALTH

Mr Dwight Duncan (Windsor-Walkerville): "To the Legislative Assembly of Ontario:

"We, the undersigned residents of Windsor and Essex county, Ontario, draw the attention of the Legislative Assembly to the following:

"Whereas children are our most important resource and are Ontario's future;

"Whereas the Ontario Child Health Study (1988) indicated that at any given time, 18% of children and adolescents require mental health services;

"Whereas recent research studies have proven the positive results and cost-effectiveness of mental health treatment for children and adolescents;

"Whereas the 95 children's mental health centres in Ontario serve over 85,000 children and their families each year by providing quality programs to address urgent and serious problems; and

"Whereas the cost of providing treatment to children in the 95 centres across the province is less than the cost of running one large urban teaching hospital or school board;

"Therefore, your petitioners call upon the Legislative Assembly to continue to invest significant resources in

children's mental health programs. Our future depends on it. Give children's mental health centres a mandate to continue their work with children and families through appropriate legislation."

I'm pleased to affix my signature along with the hundreds of others from people in my community.

EDUCATION FINANCING

Ms Marilyn Churley (Riverdale): I have a petition in Chinese, Vietnamese and English all about cuts to education from people in my riding. It reads:

"Stop the cuts to education. This petition protests the nearly \$1 billion the government plans to cut from Ontario school budgets by November 1996. We call upon Premier Mike Harris and Education Minister John Snobelen to guarantee adequate funding for our schools so that our kids get the benefit of a quality education."

I affix my signature to the petition.

PUBLIC LIBRARIES

Mr Harry Danford (Hastings-Peterborough): On behalf of many of the residents in Hastings-Peterborough:

"To the Legislative Assembly of Ontario:

"Whereas we believe that provincial interest in public libraries in Ontario is fundamental to the rights of all Ontarians,

"We, the undersigned, petition the Legislative Assembly of Ontario to maintain the provincial interest in public libraries by ensuring the continuance of the following:

"Grants to ensure that all Ontarians have equalized access to library materials and services; coordination of resource-sharing programs such as interlibrary loan and Internet access; policy to ensure the future of the network of Ontario public libraries; provincial assistance directly to libraries at the service level, for example, through Southern Ontario Library Service and Ontario Library Service North; legislation that maintains the autonomy of public library boards."

I affix my signature.

HOTEL DIEU HOSPITAL

Mr James J. Bradley (St Catharines): I have a petition signed by a number of people from St Catharines. It reads as follows:

"To the government of Ontario:

"Since the Hotel Dieu Hospital has played and continues to play a vital role in the delivery of health care services in St Catharines and the Niagara region;

"Since Hotel Dieu has modified its role over the years as part of a rationalization of medical services in St Catharines and has assumed the position of a regional health care facility in such areas as kidney dialysis and oncology;

"Since the Niagara region is experiencing underfunding in the health care field and requires more medical services and not fewer services;

"Since Niagara residents are required at present to travel outside of the Niagara region to receive many specialized services that could be provided in city hospitals and thereby not require local patients to make

difficult and inconvenient trips down our highways to other centres;

"Since the Niagara hospital restructuring committee used a Toronto consulting firm to develop its recommendations and was forced to take into account a cut of \$40 million in funding for Niagara hospitals when carrying out its study;

"Since the population of the Niagara region is older than that in most areas of the province and more elderly people tend to require more hospital services;

"We, the undersigned, request that the government of Ontario keep the election commitment of Premier Mike Harris not to close hospitals in our province, and we call upon the Premier to reject any recommendation to close Hotel Dieu Hospital in St Catharines."

I affix my signature to this petition, as I'm in complete agreement with it.

1520

RETAIL STORE HOURS

Mrs Marion Boyd (London Centre): I have a petition to the Legislative Assembly of Ontario.

"Whereas we are opposed to the opening of retail establishments on Boxing Day, December 26, 1996, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"To reconsider any changes to the laws that now cover the closure of retail establishments on Boxing Day."

There are many pages, with 25 signatures each, and I'm affixing my signature.

USER FEES

Mr Tony Ruprecht (Parkdale): I keep getting petitions against the \$2 user fee levied against our senior citizens in this province. The petition reads:

"Whereas the Ministry of Health has started to charge seniors and social assistance recipients a \$2 user fee for each prescription; and

"Whereas seniors on a fixed income do not significantly benefit from the income tax savings created by this user fee copayment or from other non-health user fees; and

"Whereas the perceived savings to health care from the \$2 user fee will not compensate for the suffering and misery caused by this user fee or the painstaking task involved to fill out application forms; and

"Whereas the current Ontario Minister of Health" — at that point it was Jim Wilson, because that's what the petition says — "promised as an opposition MPP in a July 5, 1993, letter to Ontario pharmacists that his party would not endorse legislation that will punish patients to the detriment of health care in Ontario;

"Therefore, we, the undersigned Ontario residents, strongly urge the government to repeal this user fee plan, because the tax-saving user fee concept is not fair, is not sensitive, nor is it accessible to low-income or fixed-income seniors; and lest we forget, our province's seniors have paid their dues by collectively contributing to the social, economic, moral and political fabric of Canada."

I have signed my name to this petition.

ADULT EDUCATION

Mr Bud Wildman (Algoma): I have a petition signed by approximately 150 residents of Blind River, Spanish and Elliot Lake, including all of the students of the North Shore Board of Education's adult education centre, regarding the cuts to adult education. It reads:

"To the Legislative Assembly of Ontario:

"Whereas lifelong learning is essential, not an option, for present and future success in this information age;

"Whereas this government has severely cut its secondary school funding for the education of its citizens who are 21 years of age and older;

"We ask that this age discrimination be stopped. We ask for equal access to education for all citizens of this province, as it was before this government came to power. We request restoration of full funding for all students at the secondary school level based on their need of further knowledge and skills, not on their age."

I add my signature to the petition.

RENT REGULATION

Mr Alvin Curling (Scarborough North): I have a petition, and thousands are coming in, with regard to the rent control situation here.

"Whereas the Rent Control Act protects Ontario's 3.3 million tenants and allows for security and stability in their homes and communities; and

"Whereas lifting rent control in Ontario would leave tenants with uncontrollable rent increases and financial instability; and

"Whereas the Progressive Conservative government is considering changes to the Landlord and Tenant Act favouring easier and faster eviction by landlords;

"We, the undersigned, petition the Legislative Assembly of Ontario to save rent control."

I affix my signature to these petitions.

OCCUPATIONAL HEALTH AND SAFETY

Mr David Christopherson (Hamilton Centre): I have a petition from CUPE, Local 5, in my home town of Hamilton:

"To the Legislative Assembly of Ontario:

"Whereas it is vital that occupational health and safety services provided to workers be conducted by organizations in which workers have faith; and

"Whereas the Workers' Health and Safety Centre and the occupational health clinics for Ontario workers have provided such services on behalf of workers for many years; and

"Whereas the centre and clinics have made a significant contribution to improvements in workplace health and safety and the reduction of injuries, illnesses and death caused by work;

"Therefore, we, the undersigned, petition the Legislative Assembly of Ontario to oppose any attempt to erode the structure, services or funding of the Workers' Health and Safety Centre and the occupational health clinics for Ontario workers; and

"Further, we, the undersigned, demand that the education and training of Ontario workers continue in its

present form through the Workers' Health and Safety Centre and that professional and technical expertise and advice continue to be provided through the occupational health clinics for Ontario workers."

I continue to support these petitions.

PUBLIC LIBRARIES

Mr Doug Galt (Northumberland): This petition is addressed to the Legislative Assembly of Ontario.

"Whereas we believe that provincial interest in public libraries in Ontario is fundamental to the rights of all Ontarians;

"We, the undersigned, petition the Legislative Assembly of Ontario to maintain the provincial interest in public libraries by ensuring the continuance of the following:

"(1) grants to ensure that all Ontarians have equalized access to library materials and services;

"(2) coordination of resource-sharing programs such as interlibrary loan and Internet access;

"(3) policy to ensure the future of the network of Ontario public libraries;

"(4) provincial assistance directly to libraries at the service level, for example, through Southern Ontario Library Service and Ontario Library Service North; and

"(5) legislation that maintains the autonomy of public library boards."

PROTECTION OF TEMAGAMI

Mr Richard Patten (Ottawa Centre): I have a petition from over 550 high school students. The petition is to the Legislature of Ontario.

"Whereas the 1,400-hectare ancient forest landscape, known as the Owain Lake region of Temagami, contains the third-largest known remaining old-growth red and white pine ecosystem in eastern North America; and

"Whereas this type of ecological representation is indigenous to and currently lacking in the Temagami site district; and

"Whereas old-growth white pine exists in less than 1% of its former geographical range and therefore would be defined as an endangered ecosystem; and

"Whereas we represent young citizens of Ontario and wish to have this region intact for the rest of our lives;

"We, the undersigned, petition the Legislature of Ontario as follows:

"That the Ontario government rescind all permits for logging and mining in the Temagami region and that the remaining old-growth red and white pine in the Owain Lake district be set aside for protection as a wilderness conservation area."

OCCUPATIONAL HEALTH AND SAFETY

Mr David Christopherson (Hamilton Centre): I have a petition from the Windsor regional hospital workers at 1995 Lens Avenue in Windsor.

"To the Legislative Assembly of Ontario:

"Whereas the Harris government has begun a process to open the Occupational Health and Safety Act of Ontario; and

"Whereas this act is the single most important piece of legislation for working people since it is designed to protect our lives, safety and health while at work and allow us to return home to our families in the same condition in which we left; and

"Whereas the government has made it clear they intend to water down the act and weaken the rights of workers under the law, including the right to know, the right to participate and especially the right to refuse; and

"Whereas this government has already watered down proper training of certified committee members;

"Therefore we, the undersigned, petition the Legislative Assembly of Ontario not to alter the Occupational Health and Safety Act or erode the rights of workers any further and ensure strict enforcement of the legislation."

I add my name to theirs.

1530

ORDERS OF THE DAY

BOXING DAY SHOPPING ACT, 1996

LOI DE 1996

SUR L'OUVERTURE DES MAGASINS LE LENDEMAIN DE NOËL

Mr Carr, on behalf of Mr Runciman, moved third reading of the following bill:

Bill 95, An Act to permit shopping on Boxing Day by amending the Retail Business Holidays Act and the Employment Standards Act / Projet de loi 95, Loi visant à permettre l'ouverture des magasins le lendemain de Noël en modifiant la Loi sur les jours fériés dans le commerce de détail et la Loi sur les normes d'emploi.

Mr Gary Carr (Oakville South): This legislation is urgently required to ensure that retailers will be free to open on December 26. Bill 95 removes December 26 from the list of holiday closing dates under the Retail Business Holidays Act and amends the Employment Standards Act to allow opening on Boxing Day. Employees choosing to work on Boxing Day will be paid a premium as of December 26.

Bill 95 also amends provisions of the Retail Business Holidays Act concerning commercial leases. This amendment allows retailers to decide whether or not to open on December 26. This legislation will permit Ontarians to conduct business on what is often the biggest shopping day of the year, and police resources can be diverted to the priorities of fighting crime.

Bill 95 will increase available work hours and employment opportunities for Ontario's retail workers. This will especially benefit part-time workers who often seek extra hours during this holiday season.

I had the opportunity, in opposition a few years ago, of dealing with the Sunday shopping bill. I spent a great deal of time going across this province; we spent about four weeks going across northern Ontario in dealing with this bill. It has been my opportunity to spend some time talking to various people across this province on the issues relating to the Retail Business Holidays Act. Bill 95 eliminates inconsistent enforcement of the Retail Business Holidays Act. It responds to consumer demands

for increased shopping opportunities and allows all retailers in Ontario to legally conduct business on Boxing Day.

Retailers are anxiously awaiting the passage of this legislation. Nance MacDonald, the general manager of Square One shopping centre in Mississauga — we either have a spelling error or she spells it that way, and I apologize if it is not — was quoted in Saturday's Toronto Star as saying: "Everyone is geared up and ready to go.... I wouldn't be surprised if most retailers open on Boxing Day no matter what." It is clear that we must take action now to ensure a level playing field for all retailers and end the confusion once and for all on this important shopping day.

I encourage all members of the Legislature to pass this legislation. As we all know, the time is winding down as we go for the Christmas holidays, and it's imperative that this be dealt with prior to Boxing Day.

The Deputy Speaker (Mr Gilles E. Morin): Questions or comments?

Mrs Elinor Caplan (Orillia): It's unlikely that I'll have an opportunity to participate fully in this debate, so I'm going to take two minutes to comment on the opening remarks from the government.

One of the concerns I've had is that we have seen many merchants in this province opening illegally on Boxing Day, and we know how stressed policing resources are and how difficult it has been to enforce that ban. I've always said it's not a good idea to encourage law-breaking. Society must support the laws of the land, or we are all guilty of creating a kind of society where lawlessness and law-breakers are accepted. I think that's wrong. I happen to believe that if you have a law it should be respected.

In bringing forward this law, while some people have real concerns about the impact of allowing wide-open shopping on Boxing Day, my own view is that we should not be using our policing resources to try and crack down on a law that clearly nobody respects. While I have enormous respect for the law and I believe society should respect the law, because we have seen over the course of time a desire by many in our society to have the traditional Boxing Day sales, I am willing to accept the government's legislation that will change the law and permit Boxing Day shopping and Boxing Day sales.

I wanted to get that on the record. I wanted to be very clear. I understand and share the concerns of those who don't like it, but I believe in respect for the law and I hope that this will be a positive change in Ontario.

Mr Gilles Bisson (Cochrane South): In the two minutes I have to respond I want to tell the parliamentary assistant that in our community there is some support by mall owners. Mall owners are in favour of this legislation. They think it's good stuff. I can tell you that Mr Braganolo, the manager of Timmins Square, and the other manager at the 101 Mall are in favour of opening on Boxing Day, but the owners of businesses in the downtown area of Timmins, the owners of businesses at Timmins Square and other employers are actually opposed to this.

The dilemma we find ourselves in is that it doesn't matter if this legislation is passed or not passed, busi-

nesses will open come Boxing Day, as the law we have now on the books is not going to stand up in the courts. It's a bit of a funny situation we find ourselves in: We're rushing to pass legislation that in any event, whether it passes or doesn't pass, it doesn't make a lot of difference because in the end the stores are going to be open on Boxing Day one way or another.

I just want to make sure that the government knows that not every business owner in this province is in support of this legislation. I can tell you, when I went to Timmins Square, both last Saturday and the Saturday before, went through the square and went through the downtown, the one issue —

Mr John Gerretsen (Kingston and The Islands): You're doing a lot of Christmas shopping, aren't you?

Mr Bisson: I didn't get a lot of Christmas shopping done, because the store owners and the store managers and the workers were constantly coming out of their stores to talk to me about this legislation. They felt it was enough that they remained open all the other days in the year and that to be open Boxing Day didn't make a lot of sense for them, but they were worried that the legislation might mean, if it was passed, that they would have to open.

I pointed out to them that under section 6 of the law, in effect the owner of the retail business has the right to choose not to. But I would imagine that in the end, the big companies such as Laing, the people who run Timmins Square, and Mr Braganolo will have their day and it will be, unfortunately, another example where the big do well and the little guy gets it in the ear once again.

Mr Ted Arnott (Wellington): I'd like to reply briefly to the member for Oakville South's brief presentation this afternoon. He serves, of course, as the parliamentary assistant to the Solicitor General and does an outstanding job in that capacity as well as representing his constituents. I sit beside him and I can tell him this privately, but I want to inform the whole House of how I truly feel at this late hour, this late hour in the afternoon close to Christmas.

Certainly this bill is something that many retailers, especially the larger retailers, have been looking for for quite some time. Of course we've seen what happens on Boxing Day on Yonge Street whereby many of the businesses are opening illegally. This is something, I suppose, in response to a reality that, unfortunately perhaps, is happening in our society today.

I recall when we discussed Sunday shopping some time ago, my colleague Mr Carr and I actually disagreed. I felt at the time that Sunday shopping was not in our best interests and that we should try to discourage wide-open Sunday shopping. At that time, that was not the view of the majority in the House, so the bill passed and now we have wide-open Sunday shopping. That still to some extent saddens me, but it's a reality I recognize.

Again, I would like to commend the member for Oakville South for his fine presentation this afternoon and look forward to his concluding comments.

Mr Gerretsen: I too wanted to make a couple of very brief comments on this bill. Let me first of all say that I think it's too bad in our society that we have to pass a bill like this to basically legitimize a situation which, as

has already been indicated, is difficult to enforce nowadays. I certainly concur with the notion that our police should be involved in fighting crime in the cities and municipalities of Ontario rather than fighting merchants who want to stay open on a particular day.

The sad part about it, however, is the fact that people spend anywhere from two weeks to two months getting ready for Christmas and doing all their shopping, getting the tree decorated, getting everything else done, and what does it basically boil down to? We've come to a point in our society where we're talking about 24 hours when there's actually peace in the sense that all the stores aren't open etc, and we have to pass a law now that will legitimize the situation so that people can stay open on Boxing Day as well. I suppose in a perfect world you would try to get concurrence from all the different shop owners, large or small, throughout this province whereby they would all agree to stay closed for a couple of days; that way, nobody could suggest that while they're closed and somebody else is open, the other store owner is making the money and somebody being left out.

It's too bad that our Christmas season in effect has come down to only one day of rest, namely, Christmas Day. I will be reluctantly voting in favour of this as well because I do believe our police should be involved in fighting crime rather than whether a provincial bylaw of this nature has been violated.

Mr Len Wood (Cochrane North): Are you going to give us your views on the megacity now?

Mr Gerretsen: No, we'll give you the views on the megacity sometime later on.

The Deputy Speaker: The member for Oakville South, you have two minutes.

Mr Carr: I'm pleased to wrap up. I appreciate the comments from the member for Oriole and her participation, as well as the member for Cochrane South, my good friend the member for Wellington, and the member for Kingston and The Islands.

I know on these issues there is often difference of opinion between all members of the House, of all parties, on what should be done and there's often some compromise made in what people believe should be done. I think this particular issue is something probably even more non-partisan — there are probably some members of our caucus who disagree with certain aspects.

1540

My friend from Wellington alluded to some of the discussions we had in the past. I know that as I went around the province on the Sunday shopping legislation there was a great deal of difference of opinion. The former parliamentary assistant to the Solicitor General, the member for Durham East, Gord Mills — I can call him by his name, I guess, now. We got to know each other and there was a tremendous amount of difference of opinion even within their caucus. But I appreciate that all the members have attempted to try to make their views known. I honestly and truly believe that this piece of legislation has come forward in this time, in this place, in this day. We all remember what has happened over the last little while. The big debate is going to be whether the police are going to be out and charge the retailers on Boxing Day. I think we've grown past that as a society.

To all members who participated, I want to thank you for your efforts. Hopefully, by some of the indication here today, I believe the bill will probably pass. It will end a lot of the confusion. Regardless of what we do, we need to end the confusion for our police services across the province, which up until this point have been very confused about what to do. I'm pleased that we will have some agreement, and hopefully this bill will pass today so that we can end confusion. Again, I thank the members for Oriole, Cochrane South, Wellington and Kingston and The Islands for their participation. Good luck to all of us.

The Deputy Speaker: Further debate?

Mr James J. Bradley (St Catharines): When I begin, I would like to get the unanimous consent of the House — this is difficult; the table will assist me with this, I'm sure — to split the remainder of time to be spent on this bill between the Liberal Party and the NDP, which would be, if you wanted to say it, the three hours. It won't be three hours — quite obviously, it's not going to be anywhere near that — but it's just so that the Liberals can have their speakers in one block and the NDP their speakers in one block. I don't anticipate that they will be lengthy.

Ms Frances Lankin (Beaches-Woodbine): Just ask for unanimous consent to split your leadoff time among multiple speakers.

Mr Bradley: They say I should ask for unanimous consent to split the leadoff time between myself and Mr Curling and Mr Gerretsen.

The Deputy Speaker: Is it agreed? Agreed.

Mr Bradley: I'm the person who gets to speak against this first of all. Because I'm the House leader, I get to speak first out of the three people.

This is almost like a private members' hour this afternoon because I'm sure, as the member for Oakville South has said, there are many opinions on this particular piece of legislation. Some would engage in crackpot realism, my favourite saying now; that is, they are prepared to accept something because everybody says that that's the way it is today in 1996. I don't engage in that. I like to argue on the merits. Just because people are breaking the law, I don't accept the fact personally, and I speak only personally on this, that therefore we should always change the law.

It reminds me of video lottery terminals. I happen to believe that in this case the government made a case, if I might draw an analogy, for video lottery terminals by saying that there were some illegal video lottery terminals or electronic slot machines out there. What I said was that that's similar to saying that since there are a lot of banks being robbed, the government should get into the bank-robbing business. That wouldn't make any sense. Or that since people are selling crack cocaine, somehow the government should get into that business. I don't accept that.

I personally am opposed to opening stores on Boxing Day and will in the next few minutes list some of the reasons why I believe this is ill-advised legislation, even though with a government majority it will go through and I'm sure there are even people on this side of the House who would take a different view than I do.

First of all, you have to look at those who are most vulnerable, and those are the people who must work in these stores. I know that as part of this bill there is legislation providing that those who do not wish to work will be protected. That just isn't going to work in a practical sense. It is easier perhaps in the very large stores, the ones, by the way, which are most eager to be open, the Wal-Marts of this world and other very large stores, than it is in medium-sized or smaller stores, where you might have five or six or seven employees. If none of the people want to work on Boxing Day when they're asked, you can be sure that some of those people are going to have to work.

I think you've also made provision in this legislation, if my memory is correct, to pay time and a half for people who will work that day, or some premium at least for people who work that day, and that alleviates a bit of the concern.

But I think what is of most concern to workers is that this is one chance they get to be with family. Very often the only time we get to see some of our relatives is at Christmastime or at funerals or weddings. For a lot of people the family does gather together at a household or two during the Christmas period of time. Where there's a younger man and wife, they may want to go to one set of grandparents for one Christmas dinner, if I can call it that, and to another set of grandparents for a second Christmas dinner. So one of those happens to be on Boxing Day and one of those on Christmas Day. This does not permit that to happen if people are owner-operators of stores or if they are workers in the stores.

First of all, I believe we are depriving people who work in the retail stores of this province an opportunity to be home with their families and friends for two days in a row. That doesn't exist other times, if you think of it, because the stores are now open seven days a week normally. I'm not saying everybody who works in the retail sector works the full seven days a week, but the stores are open seven days a week and those who are part-time workers might well be in the position of having to work seven days a week. This becomes even more important now that we have, in my view unwisely, opened the major retail outlets on Sundays. That means these people have very few holidays, and this is one time to get together.

Second are the owners. It is contended that everybody in the retail business is eager to be out there and open. That's not the case. Some are, and I will concede some are, but many are not. Often you'll get a number of stores in a mall or in a shopping centre where the people are family owners or small owners. They would prefer to be closed on Boxing Day, but if you're going to open up Boxing Day to others, they are going to have to open up because of competition or because it is a rule of the mall or a rule of the shopping centre.

Again, I know the government has placed a provision in this legislation which says that despite the lease, a person may stay closed. Well, just as the person who won't work on Boxing Day may not curry much favour with the employer, those stores which choose to close on Boxing Day may not curry much favour with the owner of the shopping centre who wants all stores open. When

it comes up to lease time, that may be one of the factors considered in the renewal of the lease. I'm not saying it necessarily is going to result in a person not being able to stay in that mall or shopping centre, but that is a possibility that arises as a result of this legislation.

Someone just made a point around the circle — I think it was the member for Kingston and The Islands, or perhaps someone else. One of the members stated, "Well, don't you understand that all the stores are open before Christmas?" In fact, they are. They're open often until 9 and 10 o'clock at night — seven days a week they're open in this case — and at least five of those seven days, and perhaps six of those seven days, the stores are open a very long period of time, including the Liquor Control Board of Ontario stores, which are open as well.

By opening it up on this day, you are compelling owners of stores as well as employees of stores to work on a day they do not wish to work. I just don't think it's necessary to feed this mania for shopping till you drop on Boxing Day. The same goods are going to be available the day after Boxing Day if you want to go shopping, and they may be available the next weekend, except, as some of the members opposite say, some of the half-priced stuff. I assure you that there's some half-priced stuff over there available now, and there will be for some period of time after the Christmas break.

So I don't think it's necessary. There will be people who say: "You're simply not living in 1996. This might have been realistic 10 or 20 years ago." Well, I think there are certain values that shouldn't disappear just because the calendar changes.

I would prefer as well not to be discussing this piece of legislation this afternoon, but rather to be discussing the closing of the Hotel Dieu Hospital in St Catharines, because we've had an announcement from our local restructuring commission that while we are opening stores on Boxing Day, we are closing hospitals for seven days a week, 365 days a year, if the Hotel Dieu Hospital in St Catharines is closed as a result of a recommendation of a local restructuring committee which is predicating its recommendation on the fact that the government is going to provide about \$40 million less in operating funds to local hospitals.

1550

That's what I would prefer to be talking about, or I'd prefer to be talking about, in the retail sector, the non-privatization of the Liquor Control Board of Ontario, which I think should stay as it is in government hands. It's modernized and it is up to date. I'm not saying it should be open Boxing Day either. I would prefer it and other retail stores to be closed on Boxing Day.

I look at this issue and say it is not a priority issue. There are some people who are putting pressure on the government, some people who are breaking laws, so the government says, "If they're breaking the laws, we're going to take the police off that and put them on something else." I know it has taken some police officers away from giving tickets to cars parked illegally, and that is a good revenue producer, and I know there may be the odd person who is exceeding the speed limit who will now perhaps be called to account by police officers — again, an ability to collect some funds as well for the government.

But I happen to think this legislation is not necessary. I look across at the people who sit on the government benches. If you look through some of their campaign literature, they ran on a family values platform. If we want to talk about family values, we want families to be able to gather together for at least one period of the year, getting together to visit, to reacquaint with one another, if you will, in some cases, because they are long distances away, and simply to enjoy a very special season.

As a result of this legislation, that is not going to happen and when we come to the time to vote for this, I will be using my voice to vote against this by saying nay when the Speaker calls for ayes and nays.

Mr Alvin Curling (Scarborough North): I appreciate the opportunity to speak on this bill, Bill 95, and to see it as the typical way this government has behaved, at the last minute ramming things through so people don't have an opportunity to discuss this, but it is a pattern of this government for consultation and bringing the issue to the people properly so they can know what impact legislation can have on them. It's a way of life and we almost want to sometimes even disobey the procedures to get the point across.

Let me just mention a couple of things that I feel have been of issue to the people of this province. They had felt somehow that the economy — this government spoke so highly of getting the economy working again, as they would say — would more or less have been creating jobs, but they are so intimidated now about spending their money. They don't know where the next bread is coming from, where the next salary is coming from because they are laying off faster than jobs can be created.

Yet they come into the House and brag about the fact that some jobs have been created. They walk into this House almost daily with glee in their eyes. Every Christmas it seems to me that when they say Santa Claus is here, Mike Harris's Santa Claus has come, it's about cutting jobs. Many people can't provide for their homes and their family because of the loss of jobs.

Here we are, and we're going to say, "Maybe we should open Boxing Day." This very creative government is saying it creates jobs. It's an opportunity, of course, for those who feel it's another opportunity to earn some money to put bread on the table. Yes, it's a very special time of the year for some people who feel that Christmas is a time that the whole family can get together, but many families, however, are hesitant in even getting together. They can't put a turkey on the table. They are scared if you say "Mike Harris" they'll get indigestion. If it's a Progressive Conservative they'll get indigestion, because that is the party that has created havoc among the people of Ontario, people who are in such fear. That's why the word "bully," that's why the words "no consultations whatsoever are happening," and people are not happy in that regard.

Debating whether or not we should be shopping on Boxing Day, whether or not it will create jobs — we know it doesn't create any jobs. It doesn't create jobs one bit. What is the enemy of any jobs is this government. This government has somehow felt that what it should be doing is passing the money over to big business and

hoping that somehow big business will then redistribute the wealth. That will not happen.

This government of course wants to amend the Employment Standards Act. You see how they behave towards unions. They feel that unions are an impediment to any kind of democratic representation. As a matter of fact, it's more democratic having a union so that people can have their say in the workplace, but they are making sure those things are out of the way so they can act as a dictator, as a bully, and one has no consultation whatsoever.

We saw of course some of the things we could be discussing at length: having the people have a say about their city and how their city should be run, what is the size of the city, this megacity that this government wants to introduce without any consultation at all, which is going to have a great impact on people's lives. It is sad to even watch some of the members of the government side or the back bench who want to say something, want to participate, but can't because they've been given orders not to say anything unless they are in agreement with the government.

You can read in the papers from time to time who is making the comments. Those who are hoping to get into cabinet are saying that it's the right direction for the government; those who have given up hope altogether of getting into cabinet are musing, sometimes much louder than one would expect, that it is the wrong way in which to go. The reason for that is that they have no say and they are feeling very much muzzled and want a way of expression. They were elected by the people to come here to speak on their behalf. The people of this province are extremely disappointed that their voices are not being heard by the elected members of the House here. It is sad that democracy has reached that stage.

That is why even to come here to talk about Boxing Day and whether it creates jobs, they would like to have their say that it does not create any jobs. To brag how many jobs it creates in that line will not in any way make this economy better. People are using it as a bridge somehow to get a few more dollars to put on the table, regardless of whether it's Christmas, Boxing Day or any day, so they can feed their families — a sad day itself, very, very sad.

On the other hand, I personally support shopping on that day, the 26th, and I see nothing wrong in having these stores open. Not at all. But I think that proper laws and legislation should be in place to protect these people, whether they want to work or not. They are days of pause, of course, and I think good legislation should be in place. But we don't have the opportunity at all to debate and discuss this at length or to tell the Legislature what the people are saying out there.

So we bring it at the last moment to ram this thing through, as typical as any legislation we have, without any discussion. I will of course support this, because I feel it's rather insignificant to have a long debate on it. Those are my views on shopping on Boxing Day.

I hope the government will get on in creating jobs for the people who are not working and not realizing that Boxing Day is the avenue for this. I hope that given the proper time and the proper topics, we can get down to it.

We end our session here this week, and when we come back in January I'm looking forward to speaking about things that are of more concern.

1600

People are losing their homes because of legislation that this government is putting in place. We'll be introducing legislation to wipe out rent control protecting people's homes. Those are the issues one wants to discuss. But now they're getting cold feet about doing that. I was prepared, of course, to have that kind of debate in this House today so people will know whether they have a home or not later on, or whether this government is selling off their home to the biggest bidder. They're so hungry for money, they would even sell the subways. Later on they'll be selling the streets. They're selling anything that doesn't move, just to fund their wild little dreams of a strategy of balancing budgets and giving to their friends. Sure, they will sell anything that's in the way, as you will see. Later on I wouldn't know whether I'm in the city or where I am, because every name will have been changed, selling it off to the biggest bidder.

These are some of the things we should be discussing here today, and not talking about whether we have Boxing Day and Sunday shopping.

Mr Gerretsen: Let me first of all say that I completely concur with my colleague from Scarborough North that what we really should be talking about is this massive tax cut that's going to be implemented on January 1.

Interjections.

Mr Gerretsen: My friends across the way are laughing about this, but I think if you were one of the people being affected by the services that are no longer available to you, particularly in the social services area, as the result of this \$5-billion tax cut, 90% of which is going to people who make \$100,000 or more, your attitude would be quite a bit different than that.

Mr Marcel Beaubien (Lambton): It's in the red book, John, right here.

The Deputy Speaker: The member for Lambton.

Mr Gerretsen: I think we should also be talking about the megacity project. What's this all about? You talk about an anti-democratic move that's being put on by the government; I can't think of one that's more anti-democratic than that, because basically less representation means there will be less of a democratic influence on people's lives and on the public institutions that we all hold so dearly in this province.

But I want to talk about this bill today, and we all know who's driving this bill. This bill is basically being driven by the mall owners, because they in very different ways can put pressure on shop owners to open that day. As has already been stated by the member for St Catharines earlier, certainly it's one factor, if a merchant were not to open on Boxing Day or on a day when the mall says you've got to be open, that will be taken into account by the mall owner, large or small, when that lease comes up for renewal. I think for anybody to deny that is just denying the obvious.

I think the people who really don't want this to happen are many of the smaller store owners. I had an opportunity over the weekend to meet with a number of these

people at some social gatherings and I was amazed that in each and every small store operation which is owned by a family or by one particular individual, all of these people are against having this law enacted. They realize the value of Christmas and they want to spend time with their families, which has basically been reduced to a 24-hour time period now, just Christmas Day itself. Even though we take up to two months preparing ourselves for this day, we can't even take two days off when we close our consumer society and say: "Look, let's forget about it. We'll start our Boxing Day sales on December 27." I'm sure that if all of the store owners, large or small, agreed with that principle and if some people weren't disobeying the law as has happened particularly here in the city of Toronto over the years, then the amount of dollars that will be spent by the consumers will be exactly the same as what's currently being expended even with the opening of Boxing Day.

Most of the small store owners simply do not like this law, but as a result of competitive pressures that they will be under if this law is passed, obviously they feel they will have to open as well. That's just the law of competition, that if your competitors open down the street or across the street from you and you don't take advantage of that particular situation, you're going to lose as a result thereof.

The other people we have to be concerned about are the employees of these small store owners. In many cases we're talking about anywhere from three to five people who may be working in these smaller operations. It's very easy in law to say that no one can force these people to work, but from a practical viewpoint, what is the small store owner going to do and what is the employee going to do? Quite often the employee feels a certain allegiance to the store owner. There are situations where they have worked for these small-time owners and operators for a great many years, and if the store owner feels the pressure that they have to be open because of competition, obviously the employee is going to feel the same kind of pressure. It's all right for the law to say, "You don't have to work," but I'm quite sure that those employees who are conscientious about their jobs will feel a lot of pressure to show up for work that day. I think we're doing those people a disservice as well by opening on Boxing Day.

I don't think it's a question that people want to go out and shop on that day. Yes, a certain number of people, and you get them in every society, whether it's 5% or 10%, feel this tremendous urge the day after Christmas to buy every piece of Christmas wrapping that hasn't been bought the day before at probably one tenth of the cost or what have you, and yes, there are people who want to immediately shop, but the vast majority of the people, I would say, don't have that same urge and are prepared to wait the extra day.

As has already been stated by one of the other speakers, it creates no jobs. This notion that being open one extra day somehow has a job creation aspect to it I think is a total fallacy. There are only so many consumer dollars to go around in society in any given year, and whether you're open one day more or less, the same

number of dollars are going to be expended during that period of time.

As I indicated before, I think this is a backward step. I think it is correct to say, and I accept what the member for Oakville South said earlier, that our police forces ought to be involved in fighting real crime rather than being involved with these kinds of bylaw violations or provincial law violations, and certainly the fact that once this law is in effect they will be able to fight real crime is of some concern, but I think this is a backward step. As I indicated before, it's something the government feels it has to do at this point in time, but I would think the major benefactors of this are the large mall owners and the large supermarkets and superstores that are out there currently.

Mr Bradley: What's it got to do with the tax cut?

Mr Gerretsen: As I indicated before the member for St Catharines came back into the chamber, we should be talking about the tax cut, because we're talking about \$5 billion going back to people, money we don't have. That's why the government has to borrow that extra money. According to their own figures, Mr Speaker, and I'm sure you've studied this document as well, the last financial statement, according to the government's own figures, the public debt of the province of Ontario will be going up from \$100 billion to \$120 billion to do only one thing: to give a \$5-billion tax cut to the well-to-do in this province, when 90% of that tax cut goes to people who make \$100,000 or more.

Thank you very much for allowing me this opportunity to speak on Bill 95.

The Acting Speaker (Mr Bert Johnson): Comments and questions?

Mr Rosario Marchese (Fort York): I want to respond to some of the comments made by the member for Kingston and The Islands. One of the things he identified, quite correctly, in terms of what the member for Oakville South said is that it is a fallacy to say this would create jobs. It doesn't. If they work on that particular day and people shop on that particular day, it means they're not going to shop the next day, so it all balances out. It's not an extra day of shopping. It quite correctly needs to be said that there will not be any more jobs.

I also want to talk about and share the worries that so many of these workers have when they are forced to work yet another holiday. Managers who work for very little money in so many of these retail stores are saying and have said to me that it's yet one more opportunity taken out of their lives where they have two consecutive days to rest. We are taking more days from those workers on which to rest that they're not getting at the moment.

1610

With respect to students working in some of these retail stores, the protection that they speak about that will be in place to protect them, I think that is largely either not going to be there or, if it is in law, that somehow it will say, "We will protect the workers," it won't be there. Students are frightened to fight back. When the managers say, "You've got to come and work," students are frightened to say, "No, it's against the law for you to force me to be here on that day." Students will not fight back because they're frightened, they're young, they're

vulnerable. They worry about getting some of the hours at the moment to work on the rest of those days. If they're told they're going to be there that day, they will not cite the law that says, "You can't make me." In fear, they're going to say, "Okay." As much as they speak of the protections, I'm not sure whether they'll be there.

Mr John Hastings (Etobicoke-Rexdale): It's interesting to listen to the member for Kingston and The Islands with his usual collection of irrelevancies in terms of not debating the bill which is before us, an amendment to the legislation dealing with Boxing Day. He makes bald-headed statements such as, "There won't be any jobs created." If there aren't any jobs being created, he obviously would accept a second absolutely illogical conclusion: that there's no job retention, because even if you were open, those people wouldn't work that day because there's no protection from the law for these young people.

He also makes comments about the tax reduction, which is good news, that's going to hit on January 7, the 7.5% tax relief, when he knows full well his Liberal, Grit brethren in New Brunswick are even conceding that they're taking a targeted minuscule tax reduction to help the citizens of that province. I thought that sort of stuff would be against all Liberal ideology across the way, even if they had any. We find that it shifts like the sands in the Sahara from day to day.

But the big thing that is most surprising is that since he likes to argue logically that there aren't any jobs going to be created and that there won't be any job retention, he must come out in favour then of higher, increased taxes because that would be more helpful to the economy today than the reverse.

With those comments I'm sure we're going to hear back from him as to whether he is or isn't for the Boxing Day relief. Let's really hear from him in those specific terms rather than the tax reduction, which he has probably, I suspect, taken as an indication in his own personal income tax —

The Acting Speaker: The member's time has expired.

Mr Michael Gravelle (Port Arthur): I'm very tempted, actually, to respond to the member for Etobicoke-Rexdale, but I'll save it for the member for Kingston and The Islands to respond to his rather bizarre comments, whether they were irrelevant or not, and anyway having reference to what the member for Kingston and The Islands said.

I'm very pleased to have an opportunity to also speak for a very short time and comment about the Boxing Day act. It's really quite unfortunate that we are being put in this position because of the fact that we obviously don't want to have our police officers across the province working in terms of chasing down people who are opening stores when they shouldn't be.

It's unfortunate that we're put in this position because certainly in Thunder Bay I've had the opportunity in the last week or so to talk to a number of merchants as well, and the feeling very strongly is that indeed all the business that could be done on December 26, that great busy day that it will be, could certainly be done on the 27th. I got a call from a store — and they told me they don't mind me telling — the Power Centre. I said, "Gee,

what about the opportunities you'll have to have a big business day on the 26th?" They said: "We will do that business on the 27th. We don't need it. We will do exactly that business on the 27th or the 28th. We will not add anything to our market share by opening on the 26th." Sadly enough, they have 30 employees. They will be forced to open, as so many other stores will, and unfortunately people will not have the opportunity to have that extra day off that so many people want to have.

I think previously many of the small store owners and the corner stores would open on the 26th, and be able to, and they gave the people, those small business owners, the opportunity to have a day when their market share was a little bit larger. Those are gone so it's really part of this integration of that corner store mentality which we're watching happen in the province.

I recognize the purpose behind this. I think it's very sad. I certainly have said so publicly myself in my riding and wanted to have this opportunity to speak on behalf of some of the people in Thunder Bay and the Port Arthur riding.

Mr Tony Martin (Sault Ste Marie): I also appreciate the opportunity to participate this afternoon and to congratulate the members previous for the excellent comments they put on the record and to suggest, as they have, that for most people in the province this is not really a big deal any more. Shopping, not shopping, what does it matter to most people, except if you happen to be that big mall owner who wants to make more money, who wants by way of greed to suck a few more bucks out of the pockets of some of the smaller retailers in the stores who don't stand to make a whole lot, just to be inconvenienced, or if you happen to be the worker who has to come out to work on Boxing Day, the day after Christmas.

Interjection.

Mr Martin: Exactly. You don't have your job, you get laid off if you don't come.

The really sinister part of this whole piece of legislation is how it fits into the larger agenda of this government. Just before Christmas, they come with this carrot, this present that they're going to give everybody. After all these years of squabbling and trying to come to terms with the question of Boxing Day shopping, "We're going to deliver," they say, saying nothing about the fact that in other instances across the board, every day we go on, they are destroying the small business sector of this province, taking away money from people that they would spend in all of the small stores in all of the small communities across this province. Sault Ste Marie, Manitowadge, Timmins, Kingston — all the communities are being hurt big time by the decisions this government is making to take money out of the pockets of both workers and the poor in our communities who would be spending it almost immediately to buy presents and gifts and to have food on the table for their families at Christmas.

To suggest for a second that somehow this is what they should be focusing on when in fact what they should be focusing on is the economy of this province, creating jobs and helping people, is really shameful.

Mr Bradley: In reply, I appreciate the remarks that have been offered by each of the members and I was pleased that at least one of them mentioned the tax cut because it allows me to respond to the tax cut. I thank the member for Rexdale for doing that.

What people in this province have to understand is that this government, the people opposite, actually believes it might make some additional tax money on that day. Well, it won't because it would have that on subsequent days in any event. What they have to do is they have to make up for the tax cut. They are borrowing \$5 billion a year against the wise counsel of the Dominion Bond Rating Service, against the wise counsel of most small-c conservative-minded economists in this province, against the advice of many of their own members, including my friend the member for Wellington who spoke publicly on this, and the members for Lakeshore and Grey-Owen Sound, and I believe even the present Speaker, spoke about this. I'm glad that was raised by the member because I think he's right: This is tied into this bill. They're desperate to get money any way they can.

They are bringing in video slot machines in every bar, in every restaurant, on every street in every neighbourhood in Ontario. They are cutting hospitals in St Catharines. They want to close the Hotel Dieu Hospital. They want to close the Port Colborne hospital and the Niagara-on-the-Lake hospital. Why is all this being done? It's all tied into the tax cut, because we have to have a tax cut which will benefit the richest people in our province to the greatest extent. Therefore, I say that most people in this province would prefer that you not predicate all of your policies on a tax cut which is largely going to benefit the most wealthy and privileged people in our society.

The Acting Speaker: Further debate?

Mrs Marion Boyd (London Centre): I'm pleased to have an opportunity to speak today about the Boxing Day bill, and I'm glad that my colleagues in this House have pointed out the hypocrisy that surrounds this whole situation. Let us be very clear: This bill is going to pass and it is not necessary. Because of court cases that have already happened, it's our position that in fact there is no confusion about this law. This is a piece of propaganda, a payoff to the good friends of the Conservative government, the big corporations like Wal-Mart, Eaton's, Sears, all those big businesses that have been pushing to have Boxing Day shopping.

1620

It's quite absurd because we know from the experience of Sunday shopping that there are so many dollars to go around and that increasing the number of days within which those dollars are spent does not increase the retail sales of the province. We have proof of that in this province. These same arguments were brought forward around Sunday shopping, that people would get more jobs, that somehow there would be more retail spending, and exactly the opposite happened. What we saw was indeed the fallacy that is involved in this whole situation.

There are many people in this province who currently work on holidays like Boxing Day and Christmas Day, but they are mostly essential workers and they are mostly workers who are working in a situation where their

employers, whether they are public employees, or private employees as they are in some cases, recognize that they are essential employees and deal with them in a way that compensates them for having to work those extra times. There are efforts, for example, in hospitals, where staff have to work over the Christmas period of time, that they get a block of days off over New Year's and vice versa. That happens in those large businesses and in those kinds of service industries. That has become a custom for us.

It's true that many people say Boxing Day has no religious significance, and I suppose if you don't celebrate St Stephen's Day, as my friend from Algoma pointed out, as a saint day, that would be true, but Boxing Day became a symbol of the importance of a time of year when we as a community decided that people should have a block of time to spend together with their families. I agree with the member for St Catharines that it is indeed passing strange that the government that has put so much emphasis on so-called family values has become an apologist for this excuse to destroy the ability of many hundreds of families in this province to enjoy two days together.

Let's look at who these workers are. They are workers who, from mid-November right through until Christmas Day, are expected to work seven days a week for extended hours of time to accommodate us as shoppers. We know that although in large businesses they may get some time off to compensate them for working some of those long hours, that's not true in small retail outlets, and it's particularly not true for those who are either owner-operators of small businesses or managers of small stores. Because they cannot insist that their employees work on Sunday or now, with this law, on Boxing Day, they very often have to work themselves.

What we are seeing among many small business people is a huge feeling in regard to everyone else, especially their big competitors, the big businesses that really are the backbone of this Conservative government, that really are the focus of all its attention, that this is just another excuse for those big businesses to be able to take them over, and that needs to be named.

We certainly have seen it happen that there is a very strong drive on the part particularly of large multinational retail operations to have bigger and bigger outlets so that the economy of scale can drive down wages, drive down prices and drive small competitors out of business. We've seen it again and again. We see the struggle that's going on in communities where a large operator like Wal-Mart has suddenly parked itself on the edge of town and we see what is happening to the overall economic health of community-owned businesses. That's a reality. It's a reality that no one can deny.

What we see here is a move that is supported primarily by those large retail operations, knowing very well that they will be the ones who will gain in the long run because small businesses who decide not to open may lose a bit of their competitive edge. That was what all the lobbying was about on Sunday shopping, and it's no different in this case.

Those businesses that make a determination that their families and their employees' families and their ability to

have at least two days — is this too much to ask, two consecutive days off once a year? Those businesses do that at their peril. It is really extremely important for us to understand that and to understand that by acceding to the very strong lobbying efforts of the large commercial retailers that is the end effect. I think it's a shame that we are folding to that.

Several members have said, "If there were closures on December 26, wouldn't Boxing Day simply move to December 27 as a sale day?" That in fact is what has happened in many municipalities. The same dollars just get spent on a different day. Quite frankly, if all the advertising, all the hype from those large retailers had not built in people's minds some sense that Boxing Day, December 26, not a substitute day, was the important day, we wouldn't even have this kind of pressure.

This is a manufactured desire, and one of the most serious things is that it is not even recognized as a manufactured desire. If we in our communities really believed that every family in our community should have an opportunity, where at all possible, to enjoy at least a two-day block of time, that's what we would be promoting in the ads, that's what the government would be saying. The government wouldn't be using the propaganda machine that's at their behest to increase this view of people that they must shop on the day after Christmas. They could take quite the opposite view and they could listen to some of their members who have tried to talk about family values, have tried to talk about community values, have tried to talk about the importance of people having a block of time together. They could have done that.

Instead they buy into the whole hype of the big retailers, just the way the Minister of Culture has, who's looked up in amazement and said: "What? You couldn't do that at the same price on the day after the 26th." She fell into the trap. All it is is a huge commercialization trap. The prices would be the same, the goods would be same, and all that would have happened would be that people would have had more time off at a particularly important point in the year. It is absolutely absurd for us to believe this hype and believe this malarkey about how important it is.

The government argues that the majority of people want holiday shopping and want to shop on that day. I've said very clearly and I believe very clearly that that's a manufactured want. Of course the majority who don't have to work on that day want the stores open so they can go there. It gives them something to do. What does that say about our community when we talk about our families not having anything to do if they can't go shopping? It really tells you what kind of hype people are believing.

Maybe the majority of people would like to reinstate or start all sorts of other things. We have a government that wants to completely change the government of the area of Toronto, but it doesn't want a referendum because it knows that the majority of people in the Metro area do not want a megacity. They don't want to have a referendum on that. It all depends on what side of the question people sit.

1630

It is absolutely absurd for this government to say that this one day is so important to the economic health of this province. It's absolutely absurd. Clearly we know that the number of dollars to go around did not change when additional days were added on Sundays, we know that did not happen, so the reality of this is that it is simply a manufactured issue.

Hon Marilyn Mushinski (Minister of Citizenship, Culture and Recreation): It does for my kid; it does for my family. When they're working their way through school, they need that time.

Mrs Boyd: Mr Speaker, I wish you would control the House.

Mr Gerretsen: The minister is totally out of control. She shows no culture over there, that's for sure.

The Acting Speaker: The member for Kingston and the Islands will come to order.

Mrs Boyd: Mr Speaker, that's also absurd, for you to call the member for Kingston and the Islands to order when the full cause of the disturbance was not on this side of the House.

The reality we face in this province is that this is a government that is captive to the large commercial operations, a captive of big business. It's big business that wants to open on December 26, not small retailers. We have petition after petition after petition, and have presented those in this place, from small retailers and their customers saying that they should not be open. It is just an example of how this government caves in to big business all the time and knows that its friends are the ones who will gain from its policies.

I find it offensive when the government claims that there will suddenly be more jobs to go around because it indicates to me that they do not understand the reality of part-time retail work in this province. First of all, the people who are likely to have to work more hours are people who are already working long hours, and those are the managers of retail businesses. When they are in a small operation, they need to be there. The reality is that they can be forced to work because no one else is there. The reality is that whether they complain or not, they will not have their jobs.

But for all these part-time people the government talks about, for students, whom I think the member for Etobicoke-Rexdale tried to talk about, the reality for those people is that they seldom get enough hours in a week to begin with. They want to work more hours, that's true, and the government is quite right that people who are in part-time work mostly want to work more hours. But the reality is that if they refuse to work on a day when they don't want to work, the company cuts their hours as punishment and there's no way under the law to get back at the company at all because they are on flex hours. One week they may work six hours, another week they may work 12, and it's impossible for them to prove that they've been punished for refusing to work on a Sunday or on Boxing Day. That is the reality we face in this province on part-time workers.

Besides which, as managers have pointed out again and again, are you going to have your least experienced people working on the busiest day of the year? Because

of this manufactured desire for people to shop on December 26, it is a busy retail day. Are you going to hire, as the member from Oakville suggested, people who have never worked for you before, the inexperienced, the untrained, to work on the busiest day of the year? Of course you're not. It's absolute nonsense. What you are going to do as a retailer is to do everything in your power to influence those who have experience and have the training to be there on the floor that day.

When we see the kinds of cuts in labour standards inspectors available from the Ministry of Labour, the fact that this law supposedly gives people the opportunity to complain to the employment standards branch about being forced to work gives very little comfort. There are very few inspectors; they get multitudes of serious complaints, and by the time they even inspect on any of those complaints, the time is long gone. We will find that people have either lost their jobs or have been forced to work. The day will have gone by and we will not see those people having any possible recourse at that time.

What's more, of course, the Employment Standards Act is under complete review, every part of it, so when the government stands up and says, "Oh, we've protected these people under the Employment Standards Act," we have to ask ourselves, is that going to be true at the end of the day? On December 26, 1996, it's true that piece may be in the Employment Standards Act, but we have absolutely no guarantee that it will be there once this government continues its draconian erosion of employment rights within this province. We have no reason to think that is anything but an empty promise, given the efforts of the Minister of Labour to erode long-standing labour standards that workers have enjoyed in this province through changes to the Employment Standards Act.

When we look at the whole issue of why we are doing this, there is only one answer, and that answer is to curry favour with those who support the Conservative government in this province. It is the only answer. It will not improve our economy; we know that's not the case. It is not going to suddenly create a whole lot of new jobs. That is not the case. The most offensive thing of all is it will not create a huge increase in public safety and the pursuit of crime by our law enforcement officers. The worst nonsense spoken about this bill is the nonsense that says that because people defy the law and the police have to enforce it, therefore we ought not to have the law because we take the police away from other things.

One of my colleagues said: "What does that mean? Does that mean that any place where there's a law broken, we should change that law so that the police don't have to enforce it?" Our friend the Minister of Transportation suggested that. He thought it would be a great idea to raise the speed limit to 120 kilometres an hour because so many people were breaking it when it was 100 kilometres an hour and it cost all this to enforce the speed limits. It is absolute nonsense. It's a very slippery slope when a government suggests, "We're going to change a law because it's too much trouble for the police to enforce that law."

What this goes back to is the issue of values. It goes back to whether this government believes in its own

rhetoric about the maintenance of communities and the maintenance of families or whether it doesn't. The reality is, the reason they get so exercised about this is that it shows them for the hypocrites that they are. The reality is that it is extremely offensive for a government to talk about maintaining those community values and then turn around and say that the one day in the year when people could have two days together when they work in the retail business, they now no longer will have. It is important that they recognize that this exposes entirely their willingness to cave in to the wishes of large retail corporations, of big business yet again.

It is important for us to recognize that what is going to be gained out of this whole issue is very little. I know that the way policing works, it is not going to make a huge difference in most of our communities whether or not the police have to go and enforce this law. The police have always been able to set priorities, to triage the kinds of requests that come in, and I don't think there's a police force in this province that has found its ability to deal with crime and other serious incidents at all affected by its requirement to enforce the law around no shopping on December 26. I don't believe it. They complain about it, but I know the government would be extraordinarily hard pressed to find any community where there was any serious effect on its ability to police itself because of the enforcement of the Boxing Day shopping law.

1640

When we use the excuse that it is too much trouble for a police force to enforce a law and therefore we change a law, we have to be very clear about what we're saying, because there are many laws in our community that the police are less fond of than others. There are many areas of the Criminal Code, of our Provincial Offences Act and many other areas where the police suggest consistently that they ought not to be involved in the enforcement of those things.

I worry that this is not just an erosion of the issue of community values around giving people working in retail two days a year that they can count on to have off so they can spend them with their families and friends. This has implications that I think are quite serious. I think we are all being used in an effort by the government to pay off some of its big friends by bringing this through.

It's also quite clear that the courts have said this is an unenforceable law, and in our view the grandstanding by this government was not necessary. By doing this, by hyping this up — we see in the paper the minister saying that the opposition is going to hold up this law, raising the stakes, getting everybody all excited, and the reality is that it was never the position of the opposition parties. Some are for it and some are against it. The reality is that unfortunately the way the law has been interpreted, this is the way of the future for Ontario. Only the government's making a stronger law to protect the ability of people working in retail, to have two days off together a year, could have dealt with the issue. That's not what this government decided to do.

We are talking here today about a bill that will pass — we all recognize that — but that causes really great anxiety in many communities. We need to watch very carefully, and I know that independent retailers will

be watching very carefully, to see what the effect is on their competitiveness if they have the courage to stay closed. Many of them will, and they will be watching to see whether that affects their competitiveness, whether it affects the way people's shopping behaviour changes in their communities. The only problem is that once the floodgates are open, it's almost impossible to go back.

We're making a decision in this province not just for now but probably for a very long time. It will affect a lot of individual workers, families and communities. But more than that, I suspect in the long run we will find it has affected the ability of small retailers to maintain their competitiveness, just as we saw with Sunday shopping. The small, little edge some of those neighbourhood stores had will be eroded, and we will see this mad lemming dash out to the malls on December 26, which will indeed affect and erode the ability of smaller retailers, particularly in downtown areas, to hold that competitive edge, particularly if they close, as many of them will feel they have to.

We certainly know that the government is determined to do this. We know, with the way the law has been interpreted, that it can be excused on the grounds of trying to clarify the law. But we all need to be aware as we pass this act today that it is a meaningful and lasting thing we do and one that many of us will regret for a long time.

The Acting Speaker: Questions and comments?

Mr Rick Bartolucci (Sudbury): I'd like to commend the member for London Centre for her excellent presentation.

I'd like to bring you up to date, especially the government members, on what the Sudbury city council did last Tuesday at their city council meeting. In a notice of motion filed by a councillor for ward 4, Jim Ilnitski — some of you on the other side of the House will know Jim Ilnitski, because he's been a long-time Tory organizer in Sudbury, a long-time Tory advocate and one who normally espouses the virtues of the Tory government. In this instance, he decided to file a notice of motion opposing the direction this government is taking with regard to these laws. And do you know what, members of the House, especially the government side? Everyone on city council decided to support Councillor Jim Ilnitski, the former Tory advocate for all Tory policies. They decided to a man to support this, and that includes the mayor of the city of Sudbury, Jim Gordon, a former Tory cabinet minister. He decided he would support this, because they understand, all of city council understands, the importance of allowing retail workers two days in a row off a year.

They voted against opening on Boxing Day. They voted against implementing the faulty agenda of this government. They understand that retail workers in the community of Sudbury are very important, they understand the importance of providing those workers with a minimal two days off a year, so Jim Gordon and Jim Ilnitski and the rest of the city council voted to say no to Boxing Day openings.

Ms Lankin: I'm pleased to be able to respond to my colleague's comments. I have myself come to believe that this legislation is in a sense inevitable, as Sunday shop-

ping legislation seemed to be. It seemed that the reflection of public values has in fact been taken by court decisions and by the very action of people continuing to shop on Sundays and to shop on Boxing Day and essentially insisting themselves on having access to that retail market.

I have found that a shame. I'm a bit nostalgic, in a sense, for the days when there was a common pause day, when there was the sense of a slower pace around holidays. But I did vote for our government's legislation on Sunday shopping, because it was a government decision that had been taken and because there were a large number of supporters for that legislation in my own constituency in Beaches-Woodbine, particularly along Queen Street, which is a tourist area, an area where a lot of people come to visit on Sundays, and there was a lot of support for having the stores open. I reflected that in my vote. But on a personal level, I found it sad, I found it a shame, marking a changing of our ways which is unfortunate. I don't blame the government, however, for at this point in time acceding to what the courts have said. I think it's unfortunate and we can't turn the clock back.

What I do worry about profoundly, however, are the effects in terms of families where there are individuals who will be forced to work. While the legislation contains a provision that says no one can be forced to work, that's not the real world out there, particularly in the retail sector, where large parts of the retail sector are not unionized, where people are not aware of their rights, let alone feeling confident in exercising their rights. With proposed upcoming changes to the Employment Standards Act, I worry significantly about those people. I think they're the losers in this. But in general it's just a sad day.

1650

Mr Mike Colle (Oakwood): I think the member for London Centre made a very good point in terms of saying the reason why this bill is before us is because the government is trying to keep their big friends happy. In other words, this is going to be a big reward for the mega-malls, the Yorkdales, the Square Ones, the huge shops that cover up all kinds of real estate and make huge profits. Those are the people who are going to be happy with this bill. It's a bill that basically should be called the Andrew Gallotta bill, sort of like a low blow to the little person right across Ontario, and I'm sure they're using Gallotta as their, perhaps, spin doctor on this.

I would say that this government has always said it worried about small business, smaller is better, but as you know now, there is a complete 180-degree turn. This is now the mega-Tories. The mega-Tories are interested in megacities, mega-malls, mega-profits, and that's what this bill will do —

Mr Gerretsen: Don't call them Tories; they're Reformers.

Mr Colle: Mega-Reformers — at the expense of small retailers who could at least scrape by and make a reasonable living. Now they're going to be forced to compete with the mega-malls, and they won't compete.

This government has not listened to the mom-and-pop storekeepers, to the little haberdashery, dry goods.

They're a thing of the past. They don't care about Main Street, Ontario. They care about mega-Ontario. They want to make this into an impersonal, mega-type province where little people, little stores and little profits are not part of mega-Mike's mega-Ontario. That's what this bill is all about. It's a mega-mistake.

Mr Gilles Pouliot (Lake Nipigon): I too listened intently to the remarks and messages on this eve of Christmas. Member for London Centre, right again. Mr Colle says mega-Tory. It's a mega-Reform-a-Tory, and we can go on and on.

Jesus Christ chased the merchants out of the temple. Go to the marketplace on Boxing Day and see that the merchants have returned bigger and more than ever. They won't leave us alone.

This party would have a stock certificate in a child's stocking. A gift certificate would have the form of casino coins in the child's stocking, and a series of derivatives. For the very little one — they want to start them up right — they would have a small gold wafer, because when you're that young, not everyone can afford the whole 400 ounces. To amuse the cousins and all members of the family, there would be not a game of Monopoly but a money game.

They talk about family values. Let's make no mistake: The family that shops together? What have they done to family values? They've taken 21.6% out of the pockets and the mouths of the most vulnerable, ensuring that people will not have a Christmas, never mind Boxing Day. The middle class is under a state of siege. Pac-Man is moving up the food chain. You have a state and a degree of anxiety never seen in last decades, and they have the audacity and the gall to talk to us about small businesses providing a few jobs and fewer jobettes. It's the big guy getting bigger, squeezing the small entrepreneur out.

The Acting Speaker: The member for London Centre has two minutes to respond.

Mrs Boyd: One can see that there certainly is a lot of passion that's engaged in this whole question. I guess the passion rests wherever the people are, so we find real passion to expand shopping to December 26 and real passion against it, on both sides, and we are faced with that in all of our communities.

I think that what we are seeing, as my colleague the member for Beaches-Woodbine suggested, is that there has been a huge shift in what the general population believes ought to happen in terms of retailing rules and what the courts are interpreting in terms of what is appropriate to our laws, and we do have to face that.

But I certainly agree with my colleague from Oakwood that this is, if not exactly a fight among Goliaths, certainly a situation where there is an interest involved for a large group of people who are very much involved in big business, for the mall owners, for the chain owners, for the ones who can afford to have the kind of competitive edge through this kind of thing, and a very different view on the part of the Davids, if we like, the smaller retailers who have very few resources with which to add another day to their calendar. When we're talking about this, we have to remember that we're talking about real people who work extraordinarily hard during November and

December on behalf of all those customers they serve and who have looked forward to having a definite time — two days together — that they could spend resting. They are the people who are going to be most affected by this bill.

The Acting Speaker: Are there other honourable members who wish to participate in this debate? If not, I recognize the parliamentary assistant.

Mr Carr: I'll be brief so that we can move on. I want to thank all the members. I must say, in listening to the opposition, I now long for the days in opposition when you were able to have some time to speak. I remember those days fondly and the opportunity to speak on many occasions. For those members who weren't here, actually we could speak even longer in those days; there were no restrictions. We used to go on for four and even sometimes five hours in some of those speeches. It was a great opportunity to get some things on the record.

I must say that it probably is indicative of some of the discussions that went on in the caucuses as they discussed what to do with this. When the Sunday shopping bill passed a few years ago, I thought that would be the end of the discussions on some of these issues, but having served here six years, a lot of the debates continue on. A lot of the arguments that were well made by all the members are still valid today, a lot of the concerns that we went through as we spent, as I mentioned earlier, about four weeks going across all of Ontario on this bill. A lot of the points being made are just as valid today. The concerns that some of the members of the New Democratic Party have are many of the valid concerns they had when that bill came through. There were some tough decisions and many dissenting opinions during that period of time. But I must say, all members have brought a great deal to this debate. I'm pleased to wrap up this discussion, although I don't think we ever really will wrap up a lot of the discussions about when we will and when we will not shop in the province of Ontario.

Mr Bisson: That's not the same Gary Carr I remember.

Mr Carr: Yes, it's not the same Gary Carr as in the past. We firmly believe that this piece of legislation is needed at this time, and regardless of what transpires, I honestly believe that we need to deal with it during this period so we can end the uncertainty. Even if some of the members are opposed to it, as they may be for valid, legitimate reasons, I feel we should deal with it during this period of time so that we end the uncertainty, one way or the other. I can tell you a lot of what the retailers are saying to me, and a lot of the confusion. A lot of people are saying: "One way or the other, let's make it fair for each of them. If it's going to be closed, let's make sure they're all closed. Let's be very strong about that. If it's going to be open, let's be open."

One of the things over the whole Sunday shopping debate as well that created a lot of the uncertainty was the fact that there was unevenness across the province. There were certain retailers that did and did not open. Regardless of how you feel, I think everybody on both sides of the issue believes it should be solved prior to Boxing Day this year. Hopefully we've done that. I will enjoy the continued debate as we go forward. I thank all

the members for the discussion and hopefully the members will give their support to this piece of legislation because I believe it will be good for Ontario.

The Acting Speaker: Mr Carr has moved third reading of Bill 95. Is it the wish of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

The motion is carried.

Resolved that the bill do now pass and be entitled as in the motion.

1700

ROAD SAFETY ACT, 1996 (No. 2)

LOI DE 1996

SUR LA SÉCURITÉ ROUTIÈRE (N° 2)

Mr Palladini moved second reading of the following bill:

Bill 92, An Act to promote road safety by implementing a safety rating system for commercial carriers and other measures to encourage compliance with and improve enforcement of Ontario's road safety laws and to amend various Acts administered by or affecting the Ministry of Transportation / Projet de loi 92, Loi visant à promouvoir la sécurité routière par la mise en oeuvre d'un programme de cotes de sécurité pour les véhicules de transport utilitaires et d'autres mesures conçues pour favoriser l'observation et améliorer l'application des lois de l'Ontario portant sur la sécurité routière et modifiant diverses lois dont l'application relève du ministère des Transports ou qui le concernent.

Hon Al Palladini (Minister of Transportation): I have some opening remarks but I also believe that we have unanimous consent from the opposition members to split up whatever additional time is remaining. My remarks are going to be brief.

I rise today to move second reading of the road safety bill, which will enable us to identify and get unsafe trucks and operators off our roads. Over a year ago we introduced our action plan for road safety. That has become the blueprint for the measures we plan on taking. From the very start of our planning process we agreed that to improve road safety, we had to look at the driving habits of all with a focus on three areas: enhancing enforcement, preventing drinking and driving and improving safety in the trucking industry.

The ministry is continuously working to improve all areas of road safety. In this bill, however, we are targeting unsafe truck drivers and operators. I'm pleased to say we are continuing to build on our plan that has, to date, implemented such actions as enforcing axle weight restrictions on dump trucks, something that had not been done for the past seven years. We have also increased fines for safety offences. Ontario now has the highest minimum fines in the country, and the maximum has also been increased 10 times, up to \$20,000.

We are also pilot-testing a mobile inspection station in all parts of Ontario so that bad operators cannot escape attention by using back roads. We have also developed a partnership with the Ontario Trucking Association for the

delivery of the mandatory training of air brake and wheel installers. As of November, Ontario has 4,000 wheel installers who have been properly trained to make sure that the installation of wheels is done in a safe way. These are just a few actions we have already taken.

Now we are to proceed with more measures from our plan. Our bottom line is that we believe all drivers and operators must be held accountable and responsible, be it for the way they drive or the condition of their vehicle. We need legislation in place that takes well-intentioned talk and puts it into action that will result in the saving of lives. That is why our focus today is on removing unsafe trucks and operators from our roads faster.

This government takes road safety seriously. Other jurisdictions are sitting up and taking notice of our actions. We have support from the public. Equally important, the truck and bus industries are behind us in this legislation as well, but they have asked us for one condition: that legislation be fair and apply equally to all. Our belief is that better, not more, regulation is the answer to increasing truck safety on our roads. For this reason, this legislation focuses on four areas: better and more efficient monitoring, earlier intervention, increased deterrents and incentives for operators. We are poised and ready to act.

At this time I'd like to outline what these measures are about. This legislation introduces a carrier safety rating system. As the name suggests, this system will grade carriers on a regular basis, providing potential customers with a true picture of a carrier's safety performance. We will be looking to our partners from places like the trucking and insurance industries for their input and advice on modification to the existing CVOR system and the development of the new safety rating program.

Once we have the details ironed out at a national level and our system is in place, the results of a carrier safety rating profile will be made available to the public. This means that for anyone doing business with a carrier — schools, insurance companies and other clients — these customers will be in a position to know how good the carriers are, and just as important, who the bad ones are. This will give companies with a good track record a strong, competitive edge over those who don't.

We will continue to put pressure on truck owners, operators and drivers. Our message to those people is, "If you are not in the business of safety, you shouldn't be in business." One way to apply these pressures is by giving the registrar of motor vehicles more authority to take faster action by identifying unsafe carriers earlier. In the very near future, unsafe trucking companies will no longer be able to shift their operation from one company to another to avoid being put out of business. The registrar will also have the authority to deny a CVOR. By doing so, the registrar is telling bus or truck operators under sanction or pending sanction that they won't be able to get around the system any longer by setting up a new company under a new name.

I'm pleased to say that this right to refuse has the support of both the truck and bus industry, which share our concerns about sham operators. The registrar will also be able to exercise authority sooner by taking swift and sure action against a company for cause, such as a

catastrophic collision, and against those with an unacceptable number of on-road safety violations. If companies choose not to comply, they will be immediately removed from our roads.

We are looking to develop a policy that gets unsafe trucks off our roads sooner rather than later. Right now we can pull the carrier's permit, we can pull the carrier's CVOR, we can take off the carrier's licence plates, but with this legislation we'll be able to keep the plates for a specified period of time. It will be obvious to enforcement officers at a glance that a truck without plates has no business being on the road.

This legislation will also allow us to monitor fleet sizes and distances travelled more closely. As a company becomes more successful and grows or decreases in size, it is essential that the Ministry of Transportation knows just how many vehicles are in a fleet as MTO bases its monitoring system on fleet size. We want to take swifter actions when we see a company's safety track record starting to slide. We will be stepping in faster to take action against a company that has a disproportionate number of violations with regard to its overall fleet size or mileage travelled each year.

Another area we are pursuing is increasing efficiencies by streamlining our own systems, by allowing one or two members of the Licence Suspension Appeal Board to rule on an uncomplicated appeal. We are reducing the amount of time it takes to get an appeal scheduled. We are also making better use of the board's resources.

The more complicated appeals will continue to be heard by three board members. Our plans call for improvements to the way we deliver sanction notices. We will add couriers and fax transmissions as new means of delivering sanction notices. This will get the notice of the affected carrier much faster.

As another way of streamlining our internal systems, we are looking to change the Highway Traffic Act so that a trucking offence can be tried anywhere in the route the truck has travelled within the province, from its starting point to its final destination. This new legislation allows enforcement officers to determine the jurisdiction where the charge should be laid. This will save both time and travel costs for anyone involved.

We are also making some minor changes in various sections of the Highway Traffic Act and other statutes.

I close with one final message, and this is it: Until the out-of-town service rate is zero, we will continue to crack down on unsafe trucks and drivers to make sure Ontario's roads are safe.

1710

The Acting Speaker (Ms Marilyn Churley): Questions or comments? Further debate?

Mr Mike Colle (Oakwood): In terms of Bill 92, it is an Act to promote road safety by implementing a safety rating system for commercial carriers and other measures to encourage compliance with and improve enforcement of Ontario's road safety laws.

The first part of it is certainly quite laudable. In other words, the CVOR of vehicles, the commercial vehicle operator record, is now going to be monitored and we're going to be better able to monitor the bad operators. I commend the minister for this attempt to keep a record of

operators who are driving unsafe rigs etc. I think there are some legitimate attempts to deal with the reality of trucking and trucking safety in the province and the minister's bill is a step in that direction.

The area the minister is entering into is an area that needs a lot of attention, and I certainly think he is trying his best to do that with this bill. The only thing I'm concerned about is that I just want to keep the minister on record and I want to keep pushing the minister to do more. I think he's going to try to do more and I hope he will try to do more in the months to come because he himself knows there's a lot to be done. I'll just remind him that on Friday there was another flying truck wheel that flew off a truck on Highway 11 up near Huntsville. Luckily, it just missed a motorist but it could have been fatal.

The problems are still out there on our roads and we should remind people that there are some very serious and frightening statistics about what's happening on highways. We know, for instance, that 600 Canadians die in accidents involving big trucks every year and thousands more are injured. So 600 people die on Canadian highways. Then in terms of the cost of this, not only in human tragedy and accidents, it costs the Canadian economy \$450 million a year for these accidents. That's the cost.

Also, the staggering thing is that there's a one-in-three chance that the big rig that's bearing down on you from behind probably has a mechanical defect; that is, one out of every three trucks probably has a mechanical defect, according to the inspections they've been doing on these trucks, and should be out of service. That is the reality of what's happening out there.

One of the things I'm worried about is that, if you recall, in August of this year, for instance, there was a very tragic accident where a truck ran into a home in North York and killed a mother doing her laundry in that home. That was on August 26 of this year and nothing's been done since then. I know at the time the police officer said there was going to be a report in two weeks. Here we are, four months later, and there's been no police report and no charges laid. We haven't got any information about that tragic accident where a truck ploughed right into a townhouse and killed a mother of two children. I find that really unacceptable, that four months later the government, the police, no one has taken any action on that tragic accident. The family finally had to resort to suing the truck firm for \$21 million, and is suing the government. That is something that needs attention and isn't addressed in this bill.

I would also like to mention that I know earlier this year the minister was asked and said he was going to implement demerit points against unsafe trucks and unsafe driving habits by truckers. We've been waiting for the last year for this legislation. It's not part of this legislation. I think that is a necessary initiative to send a serious message to unsafe operators and truckers that they will lose demerit points if they operate unsafe vehicles. Although we were promised demerit points against unsafe operators, they have not come about yet.

Also, the fines: I know there is a lot of talk about high fines, but the critical thing in fines — the OPP are saying

that these fines are still a joke, that you can have the maximum levels raised but the key thing is the minimums. The minimums have to be higher. The minimums cannot be \$400. The minimums for unsafe trucks should be \$2,000, \$3,000, \$4,000. That will send a strong message. Right now, we have maximums but, as you know, it's up to the judicial processes and usually their fines are a joke.

I'll read you an editorial from Graham Fletcher in the *Globe and Mail* in November 1996 in which he says:

"First, the fine should have been increased to a hefty minimum, not a maximum. The ministry writes the legislation, but it is the judicial system that interprets it. Until such time as the minimum fine is large enough, many operators will still view most fines as part of doing business." This is from the *Globe and Mail*, talking about the necessity of having high minimum fines to send a message.

You can have maximum fines of \$50,000, but what good is it if they are never brought to bear by the judicial system? It's always the minimum fines; they are not anywhere near the maximum fines and are really a licence for many of these unsafe trucking firms to continue operating with impunity.

I'd like to read for you a letter I received today. The gentleman writing me asked that his name not be included because he's afraid of the repercussions. This is a trucker who works for a trucking firm in Ontario, or did work for one. I'll just read you portions of this letter. It's dated December 11, 1996:

"The trucking industry concerns me because that's how I make my living and I am not proud of what it has become. Backroom politics play a big part in influencing regulation decisions.

"Most companies have increased their fleets over the last five years. Trucking companies have put greed and profit over safety. They don't want to put money into training and education of their drivers or money into maintenance."

The trucker goes on to say: "A total disregard for regulation and maintenance has forced insurance companies to increase their premiums. All this just doesn't make good business sense.

"I don't see any drivers having their say. Mr Palladini and Mr Bradley of the Ontario Trucking Association just don't get it. Getting your picture taken together does not solve the problems. Strong enforcement against companies who are not in compliance will work. If you can take someone's licence for 90 days for drinking, but you cannot take unsafe trucking companies off the road, who have 500 convictions, Mike Harris and Palladini have no common sense."

That's one of the things we've advocated. If a truck is unsafe, there should be an automatic suspension right on the highway. Why do they continue to operate? Just as there's an administrative suspension for drunk drivers, if that unsafe truck is found to have no brakes, suspend the licence of that truck company immediately. Don't let it go on killing people.

This trucker goes on to say:

"A company's CVOR," which is what this bill is about, "is a licence handed out by the government, so

therefore it is a privilege, just as my driver's licence is a privilege. I have to obey the Highway Traffic Act or I would not have a job. Why do companies have special status when they have one truck or 100 trucks?"

"In closing, I have enclosed a copy of a CVOR of a company that has continued to ignore safety rules for years. They even fired me as an employee because I was chairman of our safety committee."

Here's this company, and he's sent me the list of its hundreds of violations. He becomes chair of the safety committee, and what do they do to this poor trucker? They fire him. That's what's going on in Ontario.

"They also fired my safety supervisor because they did not want to comply with safety. Their CVOR still continues to grow, even after two audits by MTO. Who in the Mike Harris government do they know?" the trucker says.

"What a joke. I lost a full-time job for standing up for what I believed in. Please, sir, keep my name confidential. This is far from over. This company should not be allowed on the road. I believe that owners have a responsibility of due diligence, to do everything reasonable to protect their workers and the public when it comes to health and safety. Thank you for taking time to hear my concerns."

1720

This is an ordinary trucker writing out of fear of losing his job, because when he became chairman of the safety committee this is what happened. His company's got a record of violations as long as my arm. When he blows the whistle, he's fired. We can't have this continue in Ontario if we're going to deal with this serious problem of truck safety. We have to encourage truckers like this gentleman who wrote me to set up safety committees, to do more to encourage safety in the workplace. We shouldn't have companies going around firing and threatening truckers who want to do more for safety.

Up until now there's very little encouragement, it seems, just threats from these companies, for people who want to do something about safety. I've talked to truckers. They say, "If I dare question the safety of this truck, they'll tell me I'll lose my job, and if I make trouble for the trucking company I'll lose my job, and you know how hard jobs are to come by."

Certainly there are some very good trucking companies that don't have that attitude, but in this province there are too many trucking firms that are abusing their drivers, abusing their mechanics and saying: "Push that truck out on the road, and so what if we pay a Mickey Mouse fine? Let's get that truck on the road. They won't find the brakes that are not working. They won't find the bald tires. Get out there and get that money on the highway." That is the attitude that still prevails in this province, sad to say.

The other thing that's concerning is that this is a ministry that says it's going to do more for safety. I wonder who's going to ensure safety in this province when this ministry has just fired, for instance, 705 safety inspectors for road construction. How many internal people whose job it was to monitor safety are gone? I think they're going to fire 3,000 MTO workers. How is the ministry going to function? How is the ministry going

to ensure safety when there's nobody left to mind the store? Of the 40 safety inspection stations in the greater Toronto area, about 50% are going to be closed down; they're going from 40 to 22. How can you have more inspection if you're going to close down about 50% of the safety inspection stations? In fact, there's not even going to be anybody working there if they keep firing people the way they are.

You also wonder how they're ever going to have enough people to go after the violators, the unsafe trucks. Earlier this year there was a spill on the QEW and the QEW was shut down. There was a \$500,000 cleanup required as a result of this spill by a truck. They were supposed to have an investigation. No word from the investigation on who's going to pay for that cleanup and closing down the QEW for most of the day. These are the things that are still going on on our highways. With fewer inspectors, fewer inspection stations, fewer MTO staff, who is going to be watching the roads for people in Ontario?

Another very important thing in terms of truck safety in this province is that firms that have unsafe records, like this firm with the violations the courageous trucker sent me, are still getting government contracts. Why should a firm with 500 violations and unsafe vehicles still get government contracts? That's what's been happening. These firms that have records as long as my arm are still getting contracts with the government. How can you tell private industry to do a thing right when government is rewarding these unsafe firms with government contracts? This cannot continue. The government must put an immediate prohibition on any government contract with any company that has a record of unsafe practices. They still hold these government contracts. This is not acceptable.

Also in terms of what's happening, it's interesting to note, on the highway they call the killer highway, 403, there are no inspection stations. Also, on Highway 407 there are no inspection stations planned. How are you going to encourage safety if there are no inspection standards on those two highways? I should mention that even though the OPP officers mentioned a month ago that they were worried about the safety on Highway 407, the independent safety review of that highway still has not started. A month later, no action has been taken on putting on a safety audit inspection of the proposed new Highway 407.

It's supposed to open up the end of the of the month. Who knows when it'll open now, but they still haven't appointed an independent safety person or persons to review that highway. They should take the advice of someone like the coroner from Mississauga, Coroner Flynn from Mississauga, who inspected highway accidents on Highway 403. Why not bring the coroner in to look at 407? He could tell you what's wrong with it. Bring the OPP officers to the forefront, ask them what they think is wrong with it. No action has been taken. They wouldn't dare bring in a coroner like Flynn, because he's too tough on highway standards. He knows how the highways work.

What will they do? They haven't done anything yet. They haven't appointed a safety auditor on 407, even

though the OPP has said that highway is unsafe and they're worried about it. Why is the minister dragging his feet on Highway 407? Why are there no inspection stations on 407 or 403? Why are they closing down half the inspection stations across this province at a time —

Mr James J. Bradley (St Catharines): For the tax cut.

Mr Colle: Yes, it must be all to pay for the darn tax cut. This whole province is going down the drain because of this madness over this tax cut, cutting back on safety, cutting back on inspections, firing people before Christmas. What else is next as this province just decimates everything that's been built up over the years?

I should mention, in a Toronto Star editorial in September of this year it was stated very clearly, "Truck traffic is important to our economy," so we can't take it lightly. "Trucks haul...70% of the land freight in Ontario, including 90% of consumer products and foodstuffs and more than three quarters of Ontario's trade with the US." In other words, trucks are an increasing reality on our roads. We can't ignore the reality that it's increasing.

The Star editorial goes on to say, "Provincial politicians should spare motorists the photo opportunities, theatrics and publicity of two-day blitzes." What we need are constant blitzes, daily blitzes on our highways, not just blitzes for photo ops once every two months. "What motorists need is ongoing, year-round inspection of rigs, huge fines," not the measly little fines we have now, the Mickey Mouse fines that the OPP call a joke, "and a policy of zero tolerance for chronic offenders."

The chronic offenders are all out there on the highway, going to court, appealing. They're still out there. These violators are still on our highways. They can play the bureaucratic game for months and years. Some of these offenders go back to 1992, 1993. They're still on our highways, even though they run into people and run into trucks and run into homes. You can't take them off the road. Sad to say, this Bill 92 is just one little step. The minister has been promising big steps, big crackdowns. We've seen nothing but slaps on the wrists, because these firms are in it for pure profit and they threaten their workers. They say, "Take that truck out or else you'll lose your job."

1730

These are the things that are still very much a shortcoming of this bill. Something has to be done, more than just platitudes, for the safety of motorists. The integrity of our highways is at stake here. Again, this bill just goes in a very small step. We need some giant steps to wipe out a giant problem that endangers all motorists. Especially at this time of the year, when people are on our highways they should not be forced to also endanger themselves with these unsafe vehicles. The road conditions are bad enough, because they've cut back on road safety and snow clearance and the inspectors on our highways.

Mr Bradley: I have a few words to offer on this particular legislation, which I think is a step in the right direction, but certainly a very small step in the right direction, in terms of truck safety on the highway.

For those of us who are on the highway a lot — and I travel between St Catharines and Toronto — I can tell

you that the volume of truck traffic has increased tremendously over a period of time to such an extent now that many drivers who are unsure of themselves on major highways are very reluctant to venture out on to those highways, particularly in the peak times in terms of traffic flow and in bad weather.

We have wanted to see for some period of time some changes which would help truck safety. You have to remember that the overwhelming majority of operators of trucks themselves — those are the vehicle drivers and those who own the trucks — want to see safety on the highway because they themselves are affected directly by it. But there are people who are not prepared to spend the necessary funds on the maintenance of their vehicles. They're not prepared to have the appropriately trained drivers and the appropriate rules for their drivers. As a result, we see some accidents happening.

As the member for Oakwood has indicated, it is necessary to have more than simply blitzes that take place, blitzes that are often known to the truckers in a very short period of time. We need a constant vigil in this regard.

By the way, another aspect of this that should be addressed is the aspect of the vehicle emissions from trucks. Some of them have an awful effluent, I guess you'd call it, coming from their pipes that has to be contaminating the atmosphere out there and causing great problems for us. I think that's a new initiative the government should be involved in. I don't know why it would drag its feet on that, because it's something around which there would be a consensus.

We have to remember that these vehicles are very large, so when they are speeding during a snowstorm or a major rainstorm and throwing either snow or slush or rain on to vehicles beside them, there is a real danger, particularly when the water or the slush is accumulating on the roadway. For this reason, it's essential that they follow appropriate safety rules that will not intimidate other drivers and that they not tailgate vehicles ahead. There's nothing more horrifying for many drivers than looking in the rear-view mirror and seeing right behind them a huge truck bearing down at the speed limit. Again, most truckers, most drivers, want to avoid this situation. Most of them are safety-conscious people who help out other drivers when they're in trouble. So it's essential that we get the bad drivers off the road and the bad vehicles off the road. This bill goes somewhat in that direction but certainly takes only a minor step.

One of the other things I see that perhaps is not such a good idea is that there are new definitions to prohibit devices that detect non-radar speed-measuring equipment, like laser speed guns, and there may be some who would not look forward to that. I happen to believe that at least for car drivers in the province, the main problem is not speed — I realize if you stop them, you make some money on the side of the road — but rather bad drivers. That goes for both those who are operating large vehicles and those who are operating cars in the province.

The Acting Speaker: Further debate?

Mr Gilles Bisson (Cochrane South): I have some 20 or 25 minutes to put forward points of view that our caucus, the NDP caucus, have on this particular bill, and

also those concerns of the people in the trucking industry who contacted us over the period that this bill has been before us in the House.

Let me just say in starting out that it's unfortunate there is often not enough time taken in debating bills and taking a look at bills in order to figure out ways, if there's a problem within the bill, to amend it so that the bill could be made whole and could be made stronger, and second, that we can actually have some real debate in this Legislature and real debate and ideas through the committee process in order to make the system work.

I think this is an example of how sometimes, in the name of trying to rush legislation through the House, we find ourselves putting a bill in where the intent is good, where what the government wants to do with the legislation is a step in the right direction, but it's creating another set of problems because the legislation really hasn't had the proper time, in my view, for people in industry and people interested in this issue to take a look at it and see where the problems lie. I'm just going to try to outline some of them.

For people to understand what this bill is about, it does a couple of things. It is an attempt on the part of the Ministry of Transportation to put in place a CVOR system by which you have a safety rating system for trucks for the ministry to monitor. What happens now is that once you have a problem with trucks, it's sometimes difficult for the Ministry of Transportation to stop the truck or the truck operator from operating in the event of unsafe situations that the trucking company might have.

What this legislation does is actually a good idea. It puts in place a carrier safety rating system where if the particular corporate entity which owns these trucks surpasses a certain magic number, then the CVOR, the licence that allows them to operate those trucks in the province of Ontario, will be removed. That in itself is a good idea. It's a step in the right direction.

But again, as I say, I think there are some problems in how this legislation has been drafted and we don't have enough time to really debate this bill so that we can look at how we can make this bill better.

The other thing the bill does which is interesting is that the Ministry of Transportation is handing over its power to deal with this issue to the registrar of motor vehicles. It will become the registrar's responsibility to deal with the carrier safety rating system, and not the Ministry of Transportation's itself. The powers that are being transferred over to the registrar are very far-sweeping, and I'd like to get into some of those in a little bit of detail.

Let me get into some of the details of this bill. One of the things that industry has brought to my attention is that there is a particular section in this act — I believe it's subsection 17(3) — that basically says if you're a trucking firm and you are in a situation where your company has been caught for unsafe conditions and the carrier safety rating system says, "Oops, you should no longer operate because you're no longer safe," it will be illegal to transfer your CVOR over to somebody who is related to you.

It's interesting because I think this is going to be challenged in the courts. If you read that particular section, it does put restrictions on how you can transfer

it to other individuals. If you go through it, it says, "The registrar may refuse to issue a CVOR certificate to an applicant if the applicant is related to a person whose CVOR certificate has been cancelled," and it goes on to give a couple of other situations. I would just say there may be a problem in the future. If the scenario is that you can transfer it over to somebody who is not related to you versus somebody who is related to you, you're probably going to end up in the courts, with this legislation being challenged by the part of those involved in the industry.

I do recognize that what the government is trying to do here is to block the transferring of the CVOR where, for example, the company is found to be unsafe and all that happens is the company changes names and operates under somebody else's name altogether. If that's what the government is trying to do, I support that particular move. But the way this legislation is written, I think you'll probably end up with a situation where some of the operators might bring you to court in regard to that section. The way it has been written I think is a little bit bizarre to say the least.

The other part in here that is somewhat troubling is that subsection (5) says, "The registrar may issue a CVOR certificate subject to any terms and conditions set out in the regulations that the registrar considers appropriate," and then it goes on to say in section 17.1 "in accordance with the regulations."

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I would say two things to that. First of all, we're giving a lot of powers to the registrar. The registrar in the end is going to be the individual who's going to have all the power and that registrar will have the ability to determine what the rating system will be, as set out in the regulations, but also other issues related to it. The registrar could end up having quite a bit of power. It seems to me that one of the things we're not doing in this bill is putting enough checks and balances in to give both the trucking industry and others the opportunity to appeal decisions made by the registrar. If you go on into subsections 17.1(5), (6), (7), (8) and (9), there are a number of sections that talk about appealing a decision of the registrar.

What the bill does — I'm just going to go through it quickly. Like I say, I've got about 15 minutes to go through this and I'm trying to put what should be an hour-and-a-half speech into about five minutes. I'll try to put it together as best I can.

Subsection (6) says: "Despite the Statutory Powers Procedure Act, the registrar shall consider the matter under subsection (5) by means of a written hearing unless the registrar agrees to an oral or electronic hearing."

That means the registrar will be able to refuse, because of this legislation, despite the Statutory Powers Procedure Act, to hear the operator at a formal hearing. I believe that the government, through the registrar, has to be stricter when it comes to unsafe trucks. I do believe, however, that the operators need to have their day in court. If they have done something wrong or not done something wrong and they've been accused, they need to have the right to go before a hearings officer to put forward their case to make sure that all the facts of the

matter are taken into account so they can defend themselves in the event that their CVOR is being removed.

What you're doing under subsection (6) is saying that the registrar is the one who's going to decide what that hearing should be. If the registrar says, "Send me a letter. I don't want you appearing before me. Don't bother to come knocking at my door, I just want your letter," there's nothing that the person who operates the truck or the company is going to be able to do about it. I think that's a real problem, because I've learned as an MPP as I think other members have learned, and in my work before this, that often oral submissions at hearings are very useful. People at times are not able to put down in writing as clearly what they can say, for all kinds of reasons.

People in the trucking industry are no different from anybody else. There are some people who can express themselves quite well or have the finances to hire somebody to express their views well on paper so that their points of view will be properly put to the hearings officer or to the registrar through this process, but there are others who won't be able to and they may not get justice under this particular part of the act.

I would have hoped that we would have the time through the committee process to deal with that a little better. Yes, I believe the government should be stricter, but I also believe that the operator and the truck driver need the opportunity to defend themselves in the event that their CVOR is being lifted, because that means you're not going to be able to operate your company, you're not going to be able to work. It seems to me that people should have at least the opportunity to go before the registrar and put their case before them.

It goes on to say, "The registrar and the operator whose safety rating is under dispute are the only parties to the hearing and, unless they otherwise agree, the hearing shall be closed to the public." Again, the onus is very much on the registrar. The public, in the case of an accident, let's say, where something tragic may have happened — maybe there are people within the community, maybe other interested parties; it may be somebody from a municipal council or maybe the person's family wants to be there to hear what happens so they can hear at first hand what goes on at that hearing. The registrar is going to have the ability to say, "No, I don't want anybody there; there's only going to be me and the other person, and that's it," if he or she allows the hearing to go forward.

Again, I think that's a bit tragic. I understand that on the one hand you don't want to be getting into the public domain the private matters of the operator. But if we have a safety rating system that the public, through the government, is putting in place to protect the public, it seems to me those matters should be able to be heard before the public. I don't believe doing that stuff behind closed doors is the way it should be done. I think doing things out in the open is always the best way to do it so that people can feel good about public accountability, and doing it behind closed doors is really not lending to the accountability process. Now, I understand why that's in the bill. I'm just saying there are some problems with it and I wish we had had an opportunity to deal with that.

The other thing here that troubles me is under section 8. It says, "The safety rating assigned by the registrar is final and binding and there is no appeal therefrom." You could end up in a situation where an infraction happens. For example, it will be possible that if the CVOR is not within the cab of the truck, you will lose points, your rating system will suffer because of that. It could be that's just enough to meet the threshold for the CVOR for the company to be pulled, and in a case like that, maybe there was something that happened that's legitimate that the CVOR certificate was not in the truck. It could technically happen that that's enough to remove the CVOR for the entire company.

I guess what I would say is that we're not giving the operators, it seems to me in my view, the ability to be able — well, the minister shakes his head. I'm arguing the other side of this so that we're clear. We need to give the operators the ability to have their say in court. I don't believe the operators should be given all the power that they need to be able —

Hon Mr Palladini: You can't speak out of both sides of your mouth, Gilles.

Mr Bisson: No, no, just listen to what I say here. I don't believe the —

Mr John Gerretsen (Kingston and The Islands): Talk about that.

Mr Bisson: Imagine the minister —

Mr Gerretsen: He's talking like that? That's unbelievable.

Mr Bisson: Oh, my lord. I can't believe he's the Minister of Transportation. Come on.

The point I'm saying is that I believe you have to have clear rules, the rules have to be tough, and they have to be very direct about what it is the government wants to accomplish and that we want to accomplish, which is safer roads. But the rules, it seems to me, and the powers that we're giving to the registrar are very real, they're very broad, and all I'm saying is that you need to have a process in order for the operator to have their day in court. That's all I'm saying. Because they will not, under this act, be able to —

Hon Mr Palladini: Three years later.

Mr Bisson: Well, listen — I'm not going to get into a debate with the minister. I made the point. He doesn't believe in that. That's fine. That's his decision. I thought it was an oversight, but it's obviously not an oversight, it's where the government wants to go.

I just say, in the end people have to have their day in court. People have to have the right to appeal a decision of the registrar. That process should be quick. The government tries to do that in this legislation by making sure that if there is a hearing and the registrar agrees to one, it would happen within 30 or 35 days, but I'm saying that's not good enough. There has to be the guarantee that the operator can get his day in court, that he or she is able to go as an operator before the registrar, and I would prefer an independent hearing on that particular case.

The other point that I wanted to make here is that one of the things they're trying to clean up in this legislation, which is actually a good thing — I give the government some credit for this — is what has been a problem within

the Ministry of Transportation for a long time, and that is, when operators change addresses, they're often not bringing that information forthwith to the ministry. We're making it a requirement under this act that, "Every holder of a CVOR certificate shall notify the registrar within 15 days after any changes in the holder's name or address or, where applicable, the persons constituting the officer, director or partners of the holder has been made."

What we're trying to do is make sure that the operators take their responsibility, and if there's any change about their addresses or fax numbers or whatever it might be, that information be given within 15 days to the registrar. I say that's good. That's been a long-standing problem and I take my hat off. This is something that needed to be done for a long time and I'm glad the government is going that way.

The other part of this act that I find — this is a bit of a bizarre one here. The government, on the one hand, says they want to be tough, they want to make the trucking industry safer, but if you take a look at what happens with the fines, the fines, it seems to me, are fairly minimal considering what the fines are in other acts when it comes to contraventions of the act.

I remember last week we were having a debate here in the House on the family responsibility act. There's a provision within it that says that if a person is in contravention of the order, they can get a fine of up to \$10,000. In this particular case it says, "Every person who contravenes or fails to comply with the terms or conditions of the CVOR certificate issued to the person is guilty of an offence and on conviction is liable to a fine of not more than \$2,000."

It seems to me that the whole idea here is that if you're trying to make the trucking industry safer, there has to be a financial disincentive from running unsafe trucks, and it seems to me that \$2,000 doesn't really go far enough to be able to address that.

I understand where the government is coming from. The government is on the side of big business. They don't want to upset their friends too heavily, so they're keeping those fines fairly low. I think that they should be higher, but that is the decision that the government is making, and I would say probably not the right one. I really wonder if it's going to have a detrimental effect on truck safety.

1750

The other part of this is interesting, subsection 6(3) of the bill, where it goes on to say, "providing for the reciprocal recognition of safety ratings, safety records and similar records of territories, other provinces and states of the United States of America." What they're saying here, I take it — and I would look to the minister for clarification on this later, because I happened to catch that and I just wanted to make sure I understood it — what it seems to say is that if a truck is coming into Ontario from the United States carrying goods and leaving again, we would judge it by the rules from its jurisdiction, not the rules here in Ontario.

If that's the case — and I would look for some clarification on that — that's unfair. It seems to me that you want to put everybody on the same level playing field. You don't want to have trucking operators operating out

of Manitoba, Quebec or the northern states, wherever, with regulations that are less than Ontario's and Ontario firms having to keep a much higher standard to operate within the province while people coming from outside Ontario have the ability to come in and compete with rules and regulations that are a lot laxer. It seems to me that it puts the Ontario trucking industry at a bit of a disadvantage with other regulations. I would hope that the rules are the same for anyone: If you come into Ontario and you're going to transport goods, you have to meet our rules. I would hope that's what that section says. I wonder if that's really what we're getting at.

I would in the last couple of minutes I have here just put on the record a couple of things. One of the things is that there's a figure that my Liberal friend here, the opposition critic, used and I think it's one that needs to be repeated: 70% of all of the goods that are transported within Ontario are transported by trucks. It seems to me what we're trying to do by way of this regulation is to come around and fix a problem that doesn't need to be as bad as it is if we adopt other policies to transport goods. It seems to me that over the years we have disfavoured rail service in Ontario and in Canada by not providing the proper amount of support from provincial and federal governments to operate viable train services to transport goods around our province and through our country. What we've done is disinvested in rail services, to the point that it has become much more necessary for trucking operators to transport goods within our jurisdictions. The problem with that is that it adds to the traffic we have on our highways, which adds to the safety issues before us.

What I would say is that I don't expect the government to go out and try to pass a law to have everything shipped by rail. That would be impractical. The trucking industry and trucks play a very important role. But one of the things we should turn our attention to is that we should try, with partnerships between the private sector and provincial, municipal and federal governments, where possible, to encourage the use of rail services so that we can take some of the truck traffic off our highways.

I can tell you, as a person who drives the Highway 11 corridor almost on a weekly basis from Timmins to Toronto and back again, if not every week, every two weeks, the number of trucks on our highways is very high. It adds a lot of problems. One of them is the issue of safety. When you're out on the highway and you're driving at night and you're passing that first transport truck on what you think is a clear stretch of highway and you get past the first one and you find out there are three more lined up ahead of it, it's a pretty unsafe situation. The trucks often don't give you the opportunity to pull back in again. One of the reasons that happens is because most of our goods are transported by trucks.

Interjection.

Mr Gerretsen: What's he mumbling about? He's just mumbling, that fellow.

Mr Bisson: The Tories are just amazing.

The other thing is that with truck traffic there's a lot of wear and tear on our highways. It seems to me that one of the things we should also be trying to do is reduce truck traffic off our highways in order to maintain our

highway infrastructure at a better level and keep it longer. If you take a look at the rutting that happens on our highways across the province by the sheer volume and weight of trucks driving up and down our highways, it's really taking a toll on the highways in Ontario, and who has to pay for that? It's not the trucking industry, and that's the point I'm making here: It's you and I, the taxpayers. We're the ones who give the Ministry of Transportation, through our tax dollars, the dollars to go out and reinvest in rebuilding our highways.

It seems to me that one of the things the government should be doing, and it's something our government had started to do, is taking a look at strategies of how, where appropriate, we're able to use rail services in Ontario more efficiently in order to diminish the use of trucks, especially on those longer hauls.

It always boggles the mind that, for example, we have the Ontario Northland Railway, which is owned and operated by the province of Ontario, that has not had the support from the government it needs to be able to look at how it can develop a market niche that would pick up truck trailers in Toronto or wherever and transport some of them up north to Timmins, Cochrane or wherever it might be, as a way of being able to get in on some business. It would reduce the amount of truck traffic on highways and, if properly supported, might be a good commercial operation for the Ontario Northland Railway, at the same time maybe proving cheaper for the people who need to pay for the transportation of those goods.

I don't expect the government to do it in this legislation because it's not the place, but I would expect the government to take a look at how we're better able to use rail service in Ontario.

The other thing I would say to the Minister of Transportation is that I watched with interest as he made his comments on this particular bill and talked about how this is better, and not more regulation. Minister, no matter how you cut it, this is more regulation. The minister tries to stand here and put a good face on it because his is the government that is opposed to regulation. His is the government that's trying to deregulate everything under the sun. What we're finding out through this bill is that the government is finally coming to the realization that the province of Ontario has a responsibility to make highway safety a paramount issue in Ontario, and one of

the ways you make highways safer is to regulate the use of trucks. Therefore, the government is regulating the trucking industry to a higher degree than it is regulated now, and no matter how the government wants to spin it, it can't hide behind this mask that regulation is bad.

I applaud the government for this. I think they're right. There is a place for regulation and the government needs to play a heavier role and has to play a much more important role in how we regulate the trucking industry, so that our highways can be safer and people can feel a lot safer when they see that 18-wheeler coming down the highway, that the wheels aren't going to fly off as they have been lately and people possibly get killed as we've seen with a number of citizens in Ontario.

I would also say to the minister that there's a recognition not only within the province by the Conservative government that we need to increase regulation and truck safety; the city of Vaughan itself has passed a bylaw that does a lot of what you're talking about here through the regulation of the trucking industry within its own boundaries because they recognize there's a huge problem in deregulating the trucking industry such as was done by the previous Conservative government in Ottawa where they moved to deregulate the trucking industry overall.

I hope the Minister of Transportation would learn from this process, through Bill 92, that deregulation might not be the right way to go when it comes to bus deregulation. The government is deregulating the busing industry, a piece of legislation we expect to come before this House probably some time in 1997. I think the government is starting to recognize that deregulating things may not necessarily be the right way to go. The government has a responsibility, and that responsibility is to make sure there are rules within our society about how people and companies operate, not to take advantage of us and to operate in a safer manner.

With that, it being almost 6 of the clock, Mr Speaker, I ask for the end of the debate.

The Speaker (Hon Chris Stockwell): Mr Palladini has moved second reading of Bill 92.

Shall the motion carry? Carried.

Shall the bill be ordered for third reading? Agreed.

It now being 6 of the clock, this House stands adjourned until 1:30 of the clock tomorrow.

The House adjourned at 1759.

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Mardi 17 décembre 1996



Speaker
Honourable Chris Stockwell

Président
L'honorable Chris Stockwell

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LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 17 December 1996

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

Mardi 17 décembre 1996

*The House met at 1333.
Prayers.*

MEMBERS' STATEMENTS

FAMILY SUPPORT PLAN

Mr Pat Hoy (Essex-Kent): On December 3, I stood in this House to question the Attorney General about the crisis in family support. Mr Harnick stood over there and told this House that cheques are being processed within 24 to 36 hours. So I have sent over 40 cases from my offices to the minister. We have not received a single phone call in over two weeks. What kind of game are you playing at?

On December 4, my constituent, Brenda Quinlan, appeared before a committee to tell her sad story. Brenda is facing a power of sale on her home because her husband is \$11,000 in arrears on his court-ordered mortgage payments. That is on top of support payment arrears. There are \$45,000 in joint assets which family support could seize, a \$20,000 term deposit sits in the same financial institution which has the power of sale, yet Brenda and her six children will be forced on to the street because nothing has been done to seize that money.

At committee — and I must thank Mr Kormos for his assistance — the parliamentary assistant and the family support staff undertook to help resolve this problem. Family support has the authority to seize those funds, yet Brenda has to defend against the power of sale while the minister and his staff sit on their hands. My office can't get any return calls. Tell me, Minister, when are you going to get off your good intentions and do your job?

STUDENT ASSISTANCE

Ms Marilyn Churley (Riverdale): Eastview Neighbourhood Community Centre, a member of the Boys and Girls Clubs of Ontario in my riding of Riverdale, believes that every kid has potential. Recently four of its members were honoured with scholarships to help them pursue their educational goals.

These scholarships were presented to Tracy Borrice, who is studying nursing at George Brown College, with the intention of attaining a degree later at the university level; Julie Huynh, who will be entering her third year in the social work program at Ryerson University and is looking forward to graduate school; Deborah Johnson, who is studying fashion and design at Seneca College — she hopes to have her own fashion design business — and Salena Cicchirillo, a long-time volunteer of Eastwood

who is in the child and youth worker program at George Brown College.

Knowing the challenges faced by many of its members, the Boys and Girls Clubs of Ontario started a scholarship program in 1992. From an initial \$4,000, the program has grown to more than \$40,000 and 41 awards in 1996. To date, more than \$90,000 has been given out to 90 young people across Ontario who are striving to achieve their potential. For this, the Boys and Girls Clubs need to be commended. As for the students, congratulations and good luck to all of them.

ELORA BUSINESS

Mr Ted Arnott (Wellington): I am very pleased to inform the House of some very good economic news originating in Wellington county. The village of Elora has been selected as the location of a new industry. Jefferson Elora Corp will soon supply auto parts for Honda of Canada in Alliston. With a \$23-million investment, the company plans to begin operations in February 1998, initially creating 40 jobs, and should employ 70 people within about two years.

Last week I joined the Elora village council, the Minister of Economic Development, Trade and Tourism and officials of the company in a ceremony marking the announcement of the new plant. I want to again congratulate Elora village council and staff on this success, and thank Mr Isao Sugibayashi, president of Jefferson Industries, for choosing Elora as the location for this new venture.

Wellington has a great deal to offer prospective employers: a skilled and hard-working population, strong local governments who work very hard to make Wellington an attractive place to invest, a quality of life which is second to none, a sound infrastructure and proximity to markets and an improving economic climate in Ontario, which our government has encouraged through its policies and its outlook.

We must continue to do all that we can to encourage business investment and job creation in Wellington and Ontario. We still have a long way to go, but we look forward to a new year of hope and promise, confident in ourselves and in our future.

HOSPITAL RESTRUCTURING

Mr Rick Bartolucci (Sudbury): The fallout from the government's handpicked commission's final report regarding hospital restructuring continues to fracture our city and our northeastern Ontario community.

Everyone, and I mean everyone, even those who believe the government's direction is right, thinks the

system we are left with in Sudbury is too small for Sudbury to ever be considered the referral centre for northeastern Ontario.

Minister, you have allowed your commission, your handpicked Tory hacks, to leave Sudbury with 226 fewer acute care beds and 197 fewer beds overall because you and your commission wanted to close two acute care hospitals in Sudbury. Your commission's report says there is only very localized hospital usage and that your studies indicated: "Analysis does not suggest significant distances to be traversed to access hospital care."

Timmins is not next door to Sudbury. Manitoulin Island is an hour and a half away. Hearst is several hours away. You and your Tory-appointed commission are forcing northerners to travel south to get treatment. You are taking \$40.7 million out of the system. You are eliminating 500 health care jobs.

Shame on you, shame on this government, shame on your commission, and you'll pay the price next election.
1340

Mr Floyd Laughren (Nickel Belt): To follow up the member for Sudbury's eloquent statement on the Health Services Restructuring Commission in Sudbury, that commission made their final report in Sudbury yesterday and their Tory blue colours were on display.

The Harris government has, through the commission, chopped \$40.7 million from the region's health care budget. Two hospitals will close and services will not be provided to the people who need them. All of this is done to pay for the government's phoney tax scheme for the richest people in our province.

Yesterday's announcement contained no labour adjustment plan for the hundreds of front-line health care workers about to lose their jobs. What are these workers supposed to do to find other work? A responsible government would have made sure that a labour adjustment plan was part of any government report which would cause workers to lose their jobs.

I and my colleagues on this side of the House made these same observations when the interim report came down some weeks ago. We were ignored. The government has an agenda firmly in place and they're not about to be moved.

The final report contained no commitment to reinvest the millions of dollars cut from health care in Sudbury into community-based services when those hospitals close. In fact, there is no analysis of the future needs for community-based care in the preparation of this report.

I ask the new Minister of Health to come to Sudbury and meet with the leadership of the region to discuss the future of health care in that important part of our province.

Mr Marcel Beaubien (Lambton): This government remains firmly committed to maintaining health care spending at \$17.4 billion. This is a daunting task in light of the \$2.1-billion cut to Ontario's health and social services by the federal Liberal government. It can be done, but not without significant changes to correct some historical funding inequities.

The previous government instructed the district health councils in the province to look at restructuring of health

services in Ontario. In fact, \$26 million was allocated by the previous government to this project.

In my riding of Lambton, the Health Services Restructuring Commission has recently released its recommendation, which I must admit is certainly not compatible with the recommendations made by the Lambton District Health Council. We realize there must be some rationalization of health services. The constituents of Lambton feel they can find savings and restructuring which are compatible with the Hospital Services Restructuring Commission.

In other words, we want to be part of the solution. By being part of the solution, not only can we be sensitive to the economic viability of rural Ontario but we can play an important role in what is best for our constituents from a health care point of view.

My constituents in Lambton have been working together to respond to and make their recommendations to health services —

The Speaker (Hon Chris Stockwell): Thank you.

MUNICIPAL RESTRUCTURING

Mr Gerard Kennedy (York South): A few weeks ago there was a political party that released a report called Fresh Start. That report was written by Preston Manning and the Reform Party, featuring one of the members opposite.

But yesterday another political party released a report also called Fresh Start. Fresh Start number 2 was written by KPMG about the Metro amalgamation for Al Leach, Mike Harris and the provincial Tories.

Preston Manning's Fresh Start talks about gutting important public services. Al Leach's Fresh Start also talks about gutting important public services, using phrases like "right-sizing police" and proposing to replace police with volunteers.

Preston Manning's Fresh Start talks about privatizing government services. Al Leach's Fresh Start also talks about privatizing services. On page B-6 it says, "Potential exists to contract out fraud investigations to private firms."

Preston Manning's Fresh Start talks about selling off government assets. So does Al Leach's Fresh Start. Page C-6 recommends, "Lower operating costs after disposal of transportation assets and facilities."

Lastly, Preston Manning's Fresh Start is based on very shaky numbers, something Al Leach seems to have copied as well.

It looks as though the only person Al Leach has consulted in his Metro amalgamation proposal is Preston Manning, and this of course begs the question, why \$100,000 spent on this and when is Al Leach going to get the same haircut as Preston Manning?

Ms Frances Lankin (Beaches-Woodbine): As we know, today the Minister of Municipal Affairs and Housing made an announcement with respect to the future of Metropolitan Toronto, and he chose to make that announcement at the board of trade to a very select audience. The symbolism in that is not lost on many people in this city, many people in this province.

There are items in this legislation coming forward on which we already need immediate clarification from the minister. As he will know, ministry officials held a briefing with MPPs this morning. I specifically asked about the minister's intention for the timing of this legislation and was told by the ministry officials that it was the minister's intent to have this piece of legislation, affecting 2.3 million people and the future of Metro Toronto, passed by early February. Our understanding, our intention was that it would go out to hearings in March, that there would be time for people to respond.

I also asked about this new board of trustees that the minister is putting in place that can overturn local decisions on expenditures. Could they stop the city of Toronto or any other city from holding a referendum? I was told yes. Minister, you must be clear about this. What is the timing and will you ensure that referendums can be held by local government?

TVONTARIO

Mr Tony Clement (Brampton South): I would like to bring to the attention of the honourable members of this House that at the 24th annual International Emmy Awards gala in New York City on November 25, TVOntario received the prestigious 1996 international UNICEF award. TVOntario was chosen for the Emmy from among 2,200 broadcasters worldwide who took part last December in UNICEF's International Children's Day of Broadcasting.

The award honours the full day of special programming produced last year by TVO's children and youth programming team to celebrate the annual UNICEF initiative, which was launched four years ago to draw worldwide media attention to children's rights.

This is an extraordinary honour for TVOntario and it brings unprecedented international acclaim to their work in children's programming. Coming on the heels of the special achievement award they received from the Alliance for Children and Television, this latest honour illustrates TVO's capacity to concentrate successfully on children's educational programming.

I'd like to invite all of my colleagues in this House to join me in congratulating TVOntario for earning the 1996 international UNICEF award.

VISITOR

The Speaker (Hon Chris Stockwell): I would like to inform the members that in the government's gallery is the previous member for Scarborough North, Mr Tom Wells. Welcome.

STATEMENTS BY THE MINISTRY AND RESPONSES

MUNICIPAL RESTRUCTURING

Hon Al Leach (Minister of Municipal Affairs and Housing): Today we are introducing historic change to municipal governance in the province of Ontario.

Much has been said about the future of Metropolitan Toronto and its six municipalities, about the greater Toronto area, about Ottawa-Carleton and Hamilton-Wentworth and other municipalities in various stages of restructuring.

There has been endless discussion, debate and deliberation based on advice from many studies and many people, including David Crombie and the Who Does What panel, and Dr Anne Golden and the GTA Task Force. They've told us that there are efficiencies to be gained, savings to be found, investment and jobs to be created by making changes to the current structure. They've told us that the status quo is not an option. They've told us to act.

Today the debate gives way to action. Today I will be introducing legislation that will streamline local government and make it more accountable and efficient, that will reduce layers of government, end waste, overlap, duplication and red tape and the number of politicians.

Today I am introducing legislation to eliminate Metro and its six member municipalities: Toronto, Etobicoke, East York, North York, Scarborough and the city of York. We will create one new city of Toronto for us all, a city where we work together for the benefit of the region as a whole, where we will move forward as one to greet the 21st century — except for those opposite who are still back in the 19th.

1350

We will leave behind our seven competing governments, our seven planning departments, seven roads departments, seven parks departments. We will leave behind the confusion over which level of government does what job. We will leave behind the artificial boundaries that divide our region and that are more of a hindrance than a help.

We will bring in a new Toronto that is more efficient. It will have all of the services that people have grown to expect, but within that it will be more cost-effective. Financial experts at KPMG have said unification will save taxpayers as much as \$865 million over the first three years and \$300 million annually after that.

Our new city of Toronto will keep its strong local identity and communities. At the same time, we will have a strong central core for the developing 905 regions and our entire province. That strength will help us increase our international presence and compete in the world market.

Our new city will be built on the best practices of progressive cities across North America. We will start with a clean slate and move forward in the best interests of all.

In conjunction with this, earlier today I announced that by March 31, 1997, we will set up a Greater Toronto Area Services Board. This board will have regard for the area as a whole. It will coordinate area-wide services such as public transit, water and sewer, economic development, and linked services such as police.

I would also like to respond to a recommendation made by Mr Crombie that we eliminate the regions of Halton, Durham, Peel and York at this time. This has been debated, and while we believe it will happen, it will

not happen right now. These regions are at different stages of growth, and coordination of that growth is vital.

Restructuring is going on all around the province, and this morning I announced that Mr Gardner Church has been appointed as facilitator to Ottawa-Carleton to help in their restructuring discussions.

Interjections.

The Speaker (Hon Chris Stockwell): Order. I think we're all interested in hearing this.

Mr Gilles Bisson (Cochrane South): How about you, Chris?

The Speaker: Yes, I'm equally interested, I'm sure, as everyone. I think it would be helpful if the minister would be allowed to just finish it so that we all can hear it. Thank you. Minister.

Hon Mr Leach: Thank you, Mr Speaker. Also, my colleague the member for Oxford has been appointed to work with Hamilton-Wentworth. This very progressive region wants to move to a locally agreed upon single-tier government, but before we legislate this, some final issues must be resolved.

Changes have long been discussed. We believe the time is right to make them and we believe the legislation we are introducing today presents an historic opportunity to strengthen the province of Ontario, the greater Toronto area and the city of Toronto.

Mr Mike Colle (Oakwood): I think it's appropriate, as the member for York South mentioned, that the minister's premise for this megacity madness is based on a report that has the same heading as Preston Manning's campaign slogan: Fresh Start.

If you look at this report that he based his premises on, you'll see that they say they're going to save money basically by privatizing policing. I wonder if the minister told his rich consultant friends that policing is already amalgamated in Metro. So what's the saving? It's already amalgamated. What are you going to do to police services when, first of all, you're going to have: "Civilianization of police services. Many jobs now done by sworn officers can be turned into civilian positions.... Further outsourcing of...police functions." Fraud and white-collar crimes are going to be done by the private sector.

Also differentiation of services: "Further potential exists to differentiate" between duties done by a fully trained officer. Now they're going to bring in not fully trained officers. On top of that, they're going to bring in volunteers to police in neighbourhoods. I want to see those volunteers in Parkdale.

Interjection: Al's Angels.

Mr Colle: Al's Angels.

What's most frightening about this report is that this legislation that he's introduced today takes effect today, December 17. In other words, what's going to happen today is that the six local governments of Metro Toronto are going to be put into trusteeship. And you know why he's putting them into trusteeship? Because he's going to stop them from holding a public referendum. He is afraid to let the people participate. He's going to stop them with this legislation as of today. That is the basic thrust of this legislation. It's anti-democratic. It's a refusal to even consider a referendum. He has blocked the referendum today.

He has taken over and made himself in fact the dictator of Metro today. You are now the emperor, the dictator, of Metro today. You will not allow the elected officials or the taxpayers to hold a referendum because you're afraid they will oppose your dictatorship. It's interesting to note also that what this megacity will mean is mega-increases in property taxes, mega-cuts to services and mega-user fees. That's what this will mean.

Who will be able to run for mega-mayor? It will be his millionaire friends, because who can afford to raise money for a municipal election for 2.3 million people? It will be some wealthy millionaire. And who will be able to run for council? It'll be just people who are aligned to party politics. So he's introducing millionaires for mayor and mega-councillors and mega-party-politics at the local level.

This is the death of local government in Metro. But you notice there's a double standard in 905. He is not going to touch the 905. In fact, he's going to impose a third layer of government on 905. There's going to be the local government. The regions will stay in 905 because he's afraid of Hazel McCallion, so the regions aren't going to be touched. Then he's putting in a third layer, the GTA government. So the 905 will have three layers of government: more, bigger mega-government.

This is a government that talks about smaller is better. It's quite clear this is about a government that believes bigger is better, cheaper is better, and one size fits all, and that if you don't do what we tell you to do, we're going to force you. This is forced dictatorship. This is in essence a coup d'état. That's what it is. It's a takeover of local democracy by Emperor Leach. That's what is going on, and it's a sad day for democracy.

I ask the people in East York, York, North York, Etobicoke, Scarborough and Toronto to rise up and stand up to this dictator and say no, that you want a say in your future; you want a say in your neighbourhood. Don't be afraid of them.

Mr Tony Silipo (Dovercourt): This could have been indeed an historic day for the greater Toronto area, but indeed it's an historic day because it marks the end of democracy as it applies to Metropolitan Toronto. What this minister and this government have done today is to say that when it comes to Metropolitan Toronto, they're prepared to sacrifice all semblance of democracy and just continue with their authoritarian, dictatorial way of making decisions.

We note in the same statement — there is no clearer example than this very statement — that when it comes to Ottawa-Carleton, when it comes to Hamilton-Wentworth, when it comes indeed to the rest of the 905 area, what we see from this government is what we would expect from any decent government, and that is a process to sort out the difficulties that come about with respect to restructuring municipal governance. We appreciate that at least with respect to those areas of the province, that is being acknowledged in this statement today.

1400

But juxtapose that against what the government and the minister are doing with respect to Metropolitan Toronto: no process whatsoever, just Al Leach's and Mike Harris's decision about what will be, that they will impose on the

biggest metropolis not only in this province but in this country, on 2.5 million people; they will decide what's best for them.

We've heard the Premier and the minister tell us time after time that there have been so many studies that it's time to act. They've forgotten to mention that they haven't followed any one of those studies, not even the latest one from their own handpicked panel which said: "If you do anything about governance and the related issues around the greater Toronto area, start with the greater Toronto area as the region. Recognize that you've got to put in place a governance structure that removes the regional governments and puts in place a new structure that moves eventually to a new regional government that takes into account what is the economic entity today, which is the greater Toronto area."

While the minister comes today and presents us with this Greater Toronto Area Services Board, he of course conveniently omits dealing with the other levels of government in the 905 area. So indeed, from the government that believes in less government, we are going to get more government in the 905 area. Juxtapose that again against what we are seeing in Metropolitan Toronto: no process whatsoever, no ability for the public to continue to discuss with its municipal politicians, with its provincial politicians the variety of solutions that lie on the table.

This could have been and would have been a time of positive change, to project the greater Toronto area and, within that, Metropolitan Toronto into the future, into the next century as the vibrant part of the greater Toronto area that we all believe it to be. What the minister is doing is simply playing partisan politics with this. He's afraid to touch the 905 area because his 18 MPPs wouldn't have any of it. He's going to muck around inside Metropolitan Toronto, disregarding every single study that's been done, including his own handpicked panel.

We know in that process they will continue to disregard the democratic process as they hasten to pass this legislation, as they refuse to listen to the calls for a referendum — this from a party and a government that continues to believe that referenda should be the course of the day on other issues around taxation and constitutional amendments, and yet they will refuse to hear the calls for a referendum on this particular issue. Then you have the ultimate of ultimate measures taken today, which is to impose trusteeship on the elected local governments in Metropolitan Toronto to block them, in effect, from governing for the balance of the 1997 year.

As bad as all that is, we know that unfortunately it's only the beginning of a series of measures that we will see unfold in the new year in what I call the \$3-billion collection, because we know that this piece of legislation being introduced today, together with the education reform piece that's coming in January, together with the property tax reform that's coming in January, together with the disentanglement and the governance outside of the Toronto area, all have as their objective finding that \$3 billion in cuts so that Harris and Leach and their friends can pay off their rich buddies through the tax cut.

That's what this is about. This is the first step. The other steps are going to come in the new year and we will be here to make sure the people understand that's what your agenda is all about.

ORAL QUESTIONS

MUNICIPAL RESTRUCTURING

Mr Dalton McGuinty (Leader of the Opposition):

My question is for the Minister of Municipal Affairs. This morning you made an announcement on this issue of megacity madness. In some ways it's a complicated issue, but in others it's not so complicated. For the people in Metro Toronto it's going to mean three things, quite simply: (1) higher taxes, (2) fewer services and (3) there's going to be a lost sense of community. What makes this a tremendous shame is that what we're talking about here to begin with is the most successful urban community in all of North America.

Clearly, there are profound changes ahead for the people of Toronto and there are two ways you can bring about this change: one is to impose your megacity on the people of Metro, or you can give them a choice for their future. Minister, given that this was not a part of the Common Sense Revolution, will you support the overwhelming desire of the people in Metro to make a choice on their future by way of a referendum?

Hon Al Leach (Minister of Municipal Affairs and Housing): In response to the Leader of the Opposition, as to the proposal we brought in this morning, I think he's got a couple of things a little bit backwards. This proposal will bring in lower taxes, it will bring in better services and it will deliver services closer to the people.

With respect to a referendum, we've addressed that issue before. I know that his colleague in the back bench Mr Agostino agrees with me entirely that a referendum is totally inappropriate when you're dealing with amalgamation issues. So I don't know which side of the issue you want to be on today, Mr Leader; today you could be in favour and tomorrow you could oppose. But it's not appropriate.

Mr McGuinty: Might I suggest that we might all avert our eyes because the emperor has no clothes. Listen to this: You spent \$100,000 cooking up a bogus study on amalgamation. Even after loading the deck on the study, this is what the authors concluded, "There has been no amalgamation in the current fiscal environment that would demonstrate the certainty of savings in Metro Toronto." That's your own study. The authors went on to say that "amalgamation could very well lead to increased costs," and that means, at the end of the day, higher property taxes.

Minister, why are you ramming through, without reflection, without pause for thought and without any real consultation, your amalgamation that will raise taxes, cut services and eliminate the voice of local communities?

Hon Mr Leach: We had an external study done by one of the most competent management firms in all of North America, and that firm is recognized for that. Again in response, this will bring in lower taxes; it's

going to bring in better services, more responsive to the people. If the Liberal Party had been in power in 1953, we'd probably still have 24 cities in the city of Toronto.

Mr McGuinty: The minister makes reference again to this study, but it's a joke. That's the study where he gave the conclusions ahead of time, told them to find the facts that would support it, and in addition gave explicit instructions they were to talk to nobody — nobody. "For gosh sakes, don't talk to the police, don't talk to the firefighters, don't talk to experts, and whatever you do, don't talk to those local municipal politicians."

If this report is your vision of mega-Metro, people should be scared. This report talks about downsizing police staff, contracting out white-collar crime and fraud investigations and using volunteers to run police storefronts and fill out accident investigations. Is this what amalgamation's going to mean for us, Minister, using volunteers to do police work and trading in cops for private eyes?

Hon Mr Leach: As I read the recommendation and the report, they're talking about finding efficiencies in the operations of various departments within Metro including the police force. I think even the police would confirm that with the new technologies that are coming on board, it should be relatively easy to find 4% or 5% in efficiencies.

What we plan to do is take the money that is found from those efficiencies and reinvest it back into the police department so that we will continue to have a strong police department, so that they will be able to purchase the helicopters they're looking for and be able to put more police on the streets.

The Speaker (Hon Chris Stockwell): New question, leader of the official opposition.
1410

Mr McGuinty: To the same minister: I want to be very, very clear on this just so there's no doubt. The Liberal caucus is against your megacity. We're going to fight you on this. We're going to join with the people of Metro in doing everything possible to stop you from imposing your will on them. Your decision is going to affect life in Metro for the next 50 years, and all you offer is a quick fix to some very complex problems.

Minister, why have you refused a proper investigation of what this is going to mean to property taxes, to municipal services and to our sense of community? What makes you think that you know best?

Hon Mr Leach: As the minister pointed out earlier in his first question, I think, there have been more studies on this particular subject than on any other issue.

Interjections.

The Speaker: Order. Members for Oriole and Ottawa East, I'd ask you to come to order, and the Minister of Environment as well.

Hon Mr Leach: This issue has been studied since 1953. It was again addressed in 1966. There was a referendum held in 1969. There was another study in 1978. There have been at least eight studies done in the last three years specifically on amalgamation, and all of them support getting rid of the current system, all of them support that the status quo is not an option, that change has to be made. Change is being made, and the

proposal that we're bringing in for a single city will provide the best services to the people of the city of Toronto and the people of Ontario.

Mr McGuinty: If the minister had actually read any of those studies, he'd understand that none of them is supporting the concept he's putting forward.

What we're talking about here is democracy. You refuse to talk to those who should matter most, the people living here. You've decided that come hell or high water, you're going to impose your will. You don't care how much property taxes increase, how many services are cut, and you don't care what happens to the sense of community.

Given that this was not part of your Common Sense Revolution, given that during the last election Mike Harris in fact promised the exact opposite, can you tell me, why are you so intent to ram this megacity through?

Hon Mr Leach: I've had numerous discussions with the mayors, with the councils of the cities, with regional councillors, with regional chairmen. The mayors agree with the recommendation that we reduce the number of politicians. The mayors agree that we go to 50,000 represented by one councillor. The mayors agree that there's overlap and duplication and they indicated that they could save several hundreds of millions of dollars by eliminating waste. Metro council agrees. They produced three reports that indicate that the status quo doesn't work, that there's nothing but overlap and duplication and change has to be made. We're making that change, and the majority of people in this area agree with us.

Mr McGuinty: It's not just the people of Metro — this has far-reaching implications — not just the people of Metro who should be worried about this minister's plans.

Last week, David O'Brien, a member of David Crombie's Who Does What panel, told Sudbury council that your desire to cut even more from municipalities would result in the number of Ontario municipalities dropping from 850 to 250. We're contemplating here the death of some 600 Ontario municipalities. Claiming to have seen cabinet documents and financial statements, O'Brien said, "Within two or three years, there will be no funding to the municipal level at all."

Minister, will you now admit that this is not just about amalgamating Metro Toronto, that this is the first step in your plans to end municipal representation as we know it right across Ontario?

Hon Mr Leach: If any of your caucus had attended any of the AMO speeches, they probably would have heard me say that earlier this year, when I advised the municipalities that we were undertaking a program to separate the delivery of services between the two levels of government and that —

Interjections.

The Speaker: Okay, Minister.

Hon Mr Leach: It just struck me that their leaked cabinet document must be about a three-month-old copy of the Toronto Star, because that's when we made those statements. We advised the municipalities that we were doing the Who Does What exercise and that they would be well-advised to start planning with much-reduced provincial funding and perhaps no provincial funding.

Municipalities understand that, even if the party opposite doesn't.

The Speaker: New question, third party.

Mr Tony Silipo (Dovercourt): My question is to the Minister of Municipal Affairs and Housing. Minister, with your legislation that you're introducing today, you're forcing your megacity on the people of Toronto. You've made this decision with no public consultation, no credible study, no agreement by either the people or their elected municipal politicians. In the 905 area at least you're providing a process that will lead to further consolidations. You are ignoring Mr Crombie's recommendation as it applies to the Metropolitan Toronto area. You are in effect with these actions today making even the Bill 26 process look almost democratic.

What I want to ask you is this: Why are you not following Mr Crombie's recommendations as they apply to the Metropolitan Toronto area? Take the next three months, have him or someone lead a discussion to look at possible consolidation models, which would include one city, three cities, four cities, any number of models? Why will you not put in place a process here such as you are putting in place in the 905 area?

Hon Mr Leach: I'm glad that the member of the third party raised Mr Crombie, because I spoke to Mr Crombie just before I came over to the House and he's fully supportive of the actions we're taking today.

We are doing what the panel suggested. We're doing what Mr Crombie personally recommended, to go to a single tier. He also recommended that we put up a GTA coordinating committee and we're doing that as well.

Mr Silipo: I heard Mr Crombie myself and what the minister is saying is not what Mr Crombie said.

Let me move to another area. In the briefing that was held earlier today, your assistant deputy minister responsible for the GTA, Liz McLaren, said that you want passage of this draconian piece of legislation by the end of January or early February.

Minister, even you can't be that unrealistic. Even you can't expect to pass this mammoth piece of legislation that affects 2.5 million people in this kind of time, so I want you to be very clear in answering this question and assure us that there will be full public hearings in each and every city that is being affected by these changes during the month of March and not prior to that. Will you do that?

Hon Mr Leach: The honourable member knows what the process is in this House. It'll go for first reading today. The House will decide when it goes to second reading and when it goes to committee. Those committee hearings will be held in the appropriate municipalities in this province. We fully agree to that and we stated that we would do that. The timing of that is yet to be decided and it will be decided by this House.

Mr Silipo: We will follow that one very closely because we want to ensure that there are full public hearings in each of the communities that are being affected by this change, and I will look to the minister to provide at least that process and that guarantee.

I want to end my question on another point, which has to do with this question of referenda. We've talked in this House many a time about the interesting contradiction

that this government finds itself in of being in favour of referenda for some things but against referenda here in this case.

1420

Now we have the spectre of this trusteeship body hanging over the municipalities for 1997. I know you said you're not going to hold a referendum, but if the cities decide, individually or collectively, to proceed with a referendum in the Metropolitan Toronto area around this question of whether there should be one megacity or not, will you tell us today that you will not use any powers that you have now or that you're going to acquire through this legislation to directly, or indirectly through the trustees, block that referendum from taking place?

Hon Mr Leach: Quite the contrary. We just passed a bill in this House last week that's going to give the municipalities the ability to hold a referendum if they so choose. It will also give us the ability to put a question on that referendum if we so choose.

We met with the mayors of all of the cities of Toronto. We told them we didn't believe that a referendum was appropriate for this issue because there are too many questions that would have to go on the ballot to give everybody an opportunity to speak their mind.

Mr Mike Colle (Oakwood): Come on. It's one question: Yes or no?

Hon Mr Leach: Are you in favour? I hear the member for Oakwood talking and talking about —

Mr Colle: One simple question.

The Speaker: Order.

Mr Colle: It is an insult to the taxpayers. They say it is too complicated for people.

Hon Michael D. Harris (Premier): No, that is what your party said.

Mr Colle: That is what you said in opposition. For casinos you wanted the referendum. Now you change your mind. What if you were to do this in North Bay?

Hon Mr Harris: We've got one big megacity in North Bay.

Mr Colle: Wipe out your councillors.

Hon Mr Harris: Stop regional government dead in its tracks.

The Speaker: I'm warning the member for Oakwood. You must come to order.

Interjections.

The Speaker: I will not pick sides. I think the member for Oakwood was slightly more exercised than the Premier at this time.

Hon Mr Leach: Let me just clarify a couple of things. I've a little something here that says: "Why am I a candidate? Because of the politicians who refuse to consider amalgamation because of party connections and personal issues."

Mr James J. Bradley (St Catharines): Signed "Paul Godfrey."

Hon Mr Leach: No. What a surprise. It says: "Mike Colle, candidate. I'm for amalgamation." You remember that, Mike?

Interjections.

The Speaker: Member for Brantford, come to order, please.

Mr Colle: On a point of privilege, Mr Speaker: First of all, it's appropriate, I think, in this House to refer to a member by his riding's name.

The Speaker: That's true. I agree with that.

Mr Colle: Mr Speaker, again on a point of privilege: The basic point is that, unlike the minister, I've always entertained debate and open discussion about all issues.

Interjections.

The Speaker: I would ask the government members, please, and that includes the member for Brantford. Thank you.

SERVICES FOR ABUSED WOMEN

Ms Marilyn Churley (Riverdale): I have a question for the minister responsible for women's issues. I have here a copy of a report commissioned by your ministry which advocates cutting the amount of time women and children can stay in a shelter or transition house down to 24 to 48 hours. The report suggests that women can be made safe by the use of restraining orders, security systems and the neighbours' help. Presently, even with a six-week stay in a shelter, many women have died at the hands of a partner who was under a restraining order.

I understand you are finally making your report available. Will you stand up and tell us today that you believe that more, not less, transition and safe places for women and children whose lives are in danger are needed? Will you do that today?

Hon Dianne Cunningham (Minister of Intergovernmental Affairs, minister responsible for women's issues): The member has raised some extremely serious and important issues which none of us in this House take lightly. She also mentioned the issue of having a report made available, which we hope will be made available today. Those recommendations from a consultant will require a very careful and detailed analysis.

I would say to the member, who has been a minister herself, that officials in nine of the line ministries will be looking at all of the recommendations, analysing them ministry by ministry, and at the appropriate point in time we will all be prepared to respond to those recommendations. This is just one small part of a consultation process.

Ms Frances Lankin (Beaches-Woodbine): Just say no. Women die at the hands of those spouses. Just say no.

Interjection.

The Speaker (Hon Chris Stockwell): Order. The member for Beaches-Woodbine, I ask you to come to order, please, and the member for London Centre as well.

Ms Churley: Minister, I wish you had just said that you agree with me on that. I think everybody else out there has seen the report by now, even though you haven't released it, and I expect that you would have read it by now.

In the preparation of the review process, the secretary of cabinet says in her letter to the two deputies that this review process will be guided by the imperatives of cost cutting and that "all publicly funded activities, programs and services achieve their intended outcomes and are managed within the mandate of this constraint."

The report repeatedly mentions your government's fiscal agenda and the report changes the objective for shelters and transition houses as services for prevention. It suggests there is duplication between rape crisis centres and sexual assault treatment centres, which shows an incredible misunderstanding of the services each of these provide.

All this is aimed at cost cutting. You want to talk about prevention. I'm asking you now, will you reinstate the funding for the programs that you've already cut and stop your consideration of eliminating shelters and —

The Speaker: Thank you. Minister.

Hon Mrs Cunningham: I want to make it very clear to the members of this assembly that this was not a cost-cutting exercise. This exercise is about providing programs to women who have been victims of abuse across this province, a better mix of programs that work for the victims.

I should say to you, all of us are part of this process. I've been out across the province now for months listening to groups in different round tables, and we're looking for a better framework. We haven't had a framework for our violence programs, and the former minister knows that. There was a recommendation from her government that said we should develop a framework for action with regard to violence-against-women programs. I can tell you right now that we want programs that are effective and that support women who have been violated in the province of Ontario.

Ms Churley: Minister, our government increased funding for shelters and transition houses. Your government has cut funding. You can't stand there in your place and say you're restructuring these services for the good of women.

You can stand in your place and deny the real agenda, but I have here a letter from Lee Lakeland of the Canadian Association of Sexual Assault Centres. Lee was interviewed by your consultant and in her letter points out that the consultant made it very clear to her that the job was to reconfigure the system of services without transition houses. She said the consultant, and this is a quote, "gave me several explanations why transition houses were out of favour with the Harris government."

Minister, the evidence is all here in front of us today and it's very, very frightening. Women have died this year, women who have had restraining orders out on them. When will you come clean and tell us the real agenda of your government?

1430

Hon Mrs Cunningham: With regard to the letter, I have no idea what that letter is about. There was a call for proposals sent out in the summer. None of the issues in the letter were part of the call for proposals and certainly do not reflect the interests of our government.

Ms Churley: Are you saying these people are not —

The Speaker: Order. The member for Riverdale, I ask you to —

Ms Churley: You get up and refute everything that women who are here in the gallery —

The Speaker: The member for Riverdale, I'm warning you to come to order and I'm asking the members in the third party to come to order while the answer is being given. I really can't hear it.

I don't know why you're pointing across there. I find it coming from that side. Minister.

Hon Mrs Cunningham: The member for Riverdale is quite right. The funding has increased in the last eight years, from \$10 million to over \$100 million. I should tell you that not one piece of analysis has been done on those programs as to whether or not they're effective for the women in Ontario.

Ms Lankin: That's not true. How can you guys stand here and say things that are untrue?

Hon Mrs Cunningham: It was a recommendation of the former government. A framework report was given to me as a new minister where it was recommended that a framework to provide anti-violence programs and to support women who have been violated must be developed. We're following through on the recommendations of the report of the former government and now they're complaining about it. I don't think they know what they want, but I will say one thing: There is no monopoly on caring in this House on behalf of the New Democratic Party. Every citizen in this province cares about safe communities, and we will do our best to provide —

Interjections.

The Speaker: Thank you.

I would ask the member for Cochrane South to withdraw the comment he made.

Mr Gilles Bisson (Cochrane South): Reluctantly, I withdraw.

The Speaker: It's been a practice of mine that you either withdraw or you don't withdraw.

Ms Lankin: He withdrew.

The Speaker: The member for Beaches-Woodbine, I ask you to withdraw as well. I ask that you withdraw your heckle. It was out of order.

Ms Lankin: I said, "He withdrew."

The Speaker: No, the member for Beaches-Woodbine, when you told the minister what she was saying wasn't true.

Ms Lankin: No.

The Speaker: Okay, then I name the member for Beaches-Woodbine.

Ms Lankin: Fine. At some point in time there's got to be some truth from this government about what you're doing —

The Speaker: The member for Beaches-Woodbine, I would ask that you not ask me to — it's best that you leave, that we not have to use force. I would ask that you leave. You have to leave.

Mr Gilles Pouliot (Lake Nipigon): What are you saying?

Ms Lankin was escorted from the chamber.

The Speaker: To the member for Lake Nipigon, I put to you it's not in my nature to charge somebody with that for any reason at all. The simple fact is, once I've named a member, it's their obligation to either leave or not leave. If they don't leave, I have no option but to use force. That's why I suggested that. It was to the benefit of the member, that's all.

Mr Bud Wildman (Algoma): On a point of order, Mr Speaker: Could the Speaker, perhaps after question period, please explain to the House the difference between accusing another member of telling a lie or

stating that a statement is not true? There is a difference, surely.

The Speaker: After question period I will, but if you want to just think about it, the member said to the minister that what she was saying wasn't true.

Interjections.

The Speaker: I don't know. That seems to me to be suggesting in fact that it's —

Interjection.

The Speaker: The member for Cochrane South, come to order, and the members of the opposition come to order as well. The member for Algoma asked that. If you want me to deal with it after question period, I will. New question.

EDUCATION FINANCING

Ms Annamarie Castrilli (Downsview): My question is for the Minister of Education. Yesterday another of the government's handpicked panels reported, this time on the future of post-secondary education, and it will be no surprise to anyone that the government got a failing grade on their handling of post-secondary education. I'll quote directly from the report. It states on page 4 that "public financial support for post-secondary education in Ontario is seriously inadequate — indeed it has become so low that the sector's competitive position in North America is dangerously at risk."

Will the minister now admit that his decision last year to slash funding to colleges and universities was a mistake, that his increase of 20% was a dire consequence for students and parents who are going to be hit very hard, and will he admit that his failure to reform the student loan system will in fact create obstacles to access for very talented students in this province?

Hon John Snobelen (Minister of Education and Training): I think the reaction by various people to this very considered report over the last 24 hours has indicated that this government did the right thing last year in appointing this panel and trying to get, for the first time in a long time in Ontario, some good public policy out in front of the very important post-secondary institutions in this province. So I'm pleased we took that action and I'm very thankful for the panel members, who worked very hard to produce this report, and I will give it very careful consideration and a very careful read over the course of the next few weeks.

I can say this on student support: I'm also very proud of this government's record on student support. I had a chance a couple of weeks ago to make an announcement in this chamber that colleges and universities were going forward and raising money from the private sector, being matched by the government in our student assistance program. We announced last year that this will amount to a couple of hundred million dollars in support to the most needy students in the province. So I'm proud of that.

Ms Castrilli: It's obvious the panel doesn't exactly agree with the minister. It says that since this minister took office our province has dropped to dead last in Canada in capital funding for colleges and universities. For every dollar that the other provinces spend, we spend 75 cents. That's 25% below the Canadian average.

Government funding for major public universities even in United States has increased while Ontario has fallen. Sadly, it is our students and our economy that are going to pay for these kinds of mistakes. Let me quote just one more thing from the report. It states, "These and other indicators strongly reinforce the need for the province to renew its financial commitment to post-secondary education, for the sake of Ontario's future prosperity, competitiveness and wellbeing."

These are the facts, not what the minister would have us believe. For the sake of Ontario's future, for the sake of our students, I would like the minister to announce today that he will cut no more from colleges and universities, that he in fact will restore at least the funding —

The Speaker (Hon Chris Stockwell): The member for Downsview, thank you. Minister of Education.

Hon Mr Snobelen: It will be my pleasure, I hope in the very near future, to make an announcement, as we have talked about in the past, about the grants for colleges and universities next year. We will make that announcement in the very near future.

I will also reinforce our party's commitment to having income-contingent loans programs for students. It's something else that has been recommended by this panel and that we have been committed to, as a party, for some time. I can assure the member opposite that this government will continue to take actions that will help the accessibility of our colleges and universities to young people in Ontario and, most important, we will ensure that our post-secondary sector is excellent, that there are programs offered to our young people in Ontario better than those offered by any other institution in the world. That's our commitment and that's what we think is in the future of Ontario.

1440

MUNICIPAL RESTRUCTURING

Mr Tony Silipo (Dovercourt): I have a question to the Minister of Municipal Affairs. I want to come back to this issue of the process, because as you have clearly ruled out the possibility of a referendum in Metropolitan Toronto with respect to the future of the city and the cities within it, municipal leaders are prepared to proceed with their own referenda. I want to hear a very clear answer from you, Minister, because we were interrupted earlier, that if the municipalities in Metropolitan Toronto decide to hold a referendum, let's say in the month of February, on the megacity, neither you, directly, nor the board of trustees, indirectly, will try to stop them from holding that referendum. Will you give that guarantee today?

Hon Al Leach (Minister of Municipal Affairs and Housing): As I started to answer the question previously, we just passed Bill 86 in this House last Thursday, I believe, which gives the municipalities —

Mr Bud Wildman (Algoma): No, but that means it has to be at municipal election time.

Hon Mr Leach: No, it doesn't. It allows them to have a referendum outside of election times, Bud. That was the whole purpose of the change in the bill.

The mayors have met with the Premier and me. We advised the mayors that we didn't believe a referendum

would be appropriate on this issue because you can't decide on the type of question to ask. You can fix a referendum by fixing the question. Everybody recognizes that.

The cost of a referendum in the Metro area is \$7 million. It's within the municipal powers to hold that referendum if they choose to do so. If they want to go out and squander \$7 million of the taxpayers' money asking a question that doesn't have an answer, it's up to them to do it.

Mr Silipo: It seems to me that a question as simple as, "Do you agree with a megacity? Yes or No? Do you agree with the amalgamation of the six area municipalities into one city? Yes or No?" is a pretty straightforward question which even you, Minister, ought to be able to understand. It's not a loaded question; it's a straightforward question. As far as the cost is concerned, you're the party that believes in holding these referenda right across the province. So why is it a problem to hold it in Metro?

What I want to ask you next is this: If the municipalities in Metropolitan Toronto do indeed hold a referendum, if they proceed with these referenda and if the decision very clearly is against the amalgamation of the six area municipalities into one city, will you respect the wishes of the referenda, will you respect the wishes of the people, if that is the answer, if they turn down your megacity proposal, and will you then withdraw this draconian legislation?

Hon Mr Leach: What the member is asking to do, what he's saying, is you ask a question, "Are you in favour of a single city?" or I guess the opposite is, "Are you in favour of the status quo?" If they're not in favour of that, then I guess that means with the status quo, and everybody has agreed — the mayors have agreed, all the councils have agreed — that the status quo is not an option.

Interjections.

Mr Tony Ruprecht (Parkdale): Don't put the boots to your people. These boots are not made for walking.

The Speaker (Hon Chris Stockwell): The member for Parkdale isn't in his seat either.

Interjections.

The Speaker: I didn't mean to start it up again, I'm sorry.

BIRTH CERTIFICATES

Mr Ed Doyle (Wentworth East): I'd like to ask a question of the Minister of Consumer and Commercial Relations. I want to congratulate you for your announcement last Friday in Hamilton, where I attended along with some of my colleagues for the announcement about the new over-the-counter services from the office of the registrar general and the services available at the land registry office. I understand Hamilton is considered to be quite a successful pilot project and I wonder if you could expand for the House, and indeed for people watching, the success about this particular program.

Hon David H. Tsubouchi (Minister of Consumer and Commercial Relations): I'd like to thank the member for Wentworth East for the question. We did make the announcement last Friday, and also in attend-

ance were the members for Hamilton West and Wentworth North.

It's curious that prior to the Hamilton pilot project, the only places where people could get their vital statistics and certificates of birth or marriage or death were really from the registrar's offices, either in Toronto or in Thunder Bay. If they weren't within easy reach of these locations they would have to send them by mail, which would take six to eight weeks to do.

Clearly this was unacceptable to the consumer. This process will now take less than 10 minutes. In fact the pilot project in Hamilton was so successful that we were receiving about 50 inquiries a day. This is very clearly a good step for the consumer. This is one of the efficiencies we are trying to go through to cut the red tape in government.

Mr Doyle: There was one very slight hitch in the new program. They tried to find my birth certificate; unfortunately, the records don't go back that far.

But I would like to say that your ministry's plans regarding expanding the availability of these services in other parts of the province — if you could tell us about that, please.

Hon Mr Tsubouchi: Perhaps we could dig out the old granite and chisel for the information on the birth certificate.

We are going to expand this to six additional sites across the province, and we expect them to be fully operational by the summer of 1997. These sites will be in London, North Bay, Ottawa, Sudbury, Whitby and Windsor. These were selected on the basis of volume and geographical locations to make it better for the consumer to go locally and get their birth certificates.

There are many occasions where the consumer has to get this kind of certificate: for a health card, for travel outside the province or even to sign up for organized sports. This over-the-counter service is very important to the consumer.

Interjections.

Hon Mr Tsubouchi: I wish the members over there would listen to some good news.

Mrs Sandra Papatello (Windsor-Sandwich): I wish they were all as concerned as you are.

Hon Mr Tsubouchi: The member for Windsor-Sandwich is really heckling right now, but I assume this will be very good for consumers in Windsor, where they don't have to send to Toronto and wait for two months to get their birth certificates. Clearly, I think this is great. We're cutting red tape.

Interjections.

The Speaker: Okay, government members. Thank you very much. New question, the member for Oriole.

OMA AGREEMENT

Mrs Elinor Caplan (Oriole): My question is for the Minister of Health. We've now had an opportunity to take a close look and decipher some of the fine print of your recent deal with Ontario's doctors. Yesterday you put an annual pricetag of \$150 million on this deal, and we know that it's the people of this province who are going to have to pay that \$150 million.

The minister has admitted that he is going to make sick people pay for services that they currently receive under OHIP through delisting, deinsuring and user fees and that's going to deprive those who cannot pay of access to medical treatment in this province.

I am going to give you one more opportunity to stand in your place and to offer the people of Ontario your assurance that you will not do this, that you will not force them to pay a single penny — as the Premier said, not one cent; that you will not force them to pay for a single service currently covered under OHIP and that you will not impose mandatory user fees for health care in order to pay for your deal with the doctors.

Hon David Johnson (Chair of the Management Board of Cabinet, Minister of Health, Government House Leader): I am very happy to have one more opportunity today to stand here again and to say what I said yesterday, namely, that it is difficult to know exactly what the cost of this agreement is. The government does not have control over the number of doctors, over the number of patients, over the patients' charge etc. But I can tell you this: This government is managing the health care budget in a far superior fashion than the previous government, for example. The previous government, in terms of doctors' billings, ran \$30 million over budget and this government will keep it certainly as close to budget as possible. I will say again, as I said yesterday, there are no user fees mentioned in this agreement.

1450

Mrs Caplan: I say to the Premier and to this Minister of Health that Ontarians are getting very, very angry at the government's failure to protect their health care. Minister, you promised and the Premier promised Ontarians that you would protect health care. You promised that there would be, and I quote, "no new user fees" for health care and your leader assured us, and I quote again, that certainly it was not his plan "to close hospitals."

Your government has broken each and every one of those promises. Instead of keeping your word, you have slashed funding by \$1.3 billion to our hospitals, you have fired hundreds of nurses, you have plowed hospitals under in community after community —

Interjections.

The Speaker (Hon Chris Stockwell): Order. Minister of Community and Social Services, I ask you to come to order, please.

Interjection.

The Speaker: The member for Hamilton East, honestly. Okay, go ahead.

Mrs Caplan: You have imposed user fees on seniors who need their medication and now you are preparing to force sick people to pay for medical services that are presently covered under the Ontario health insurance plan.

Minister, at least today stand in this House and admit that you have failed to protect the one thing that Ontarians value most. Your first and most important commitment has been broken. Will you at least stand in your place and admit that you've broken your election promise to protect health care?

Hon David Johnson: I rise once again and thank the member for Oriole to have the opportunity to say once

again there are no user fees in this agreement. But the member —

Mrs Caplan: Hospitals are being closed, user fees for drugs —

Hon David Johnson: If I can speak over the cater-wauling —

Interjections.

The Speaker: I will caution the member for Oriole for the last time. No more heckling, thanks.

Hon David Johnson: The member for Oriole does have every reason to be excited, because indeed there is a government that is cutting health care in Canada and that government, as we know, is the federal Liberal government, cutting \$2 billion to health care and social care —

Interjections.

The Speaker: Thanks for all your help. Keep going, Minister of Health.

Hon David Johnson: I will assure the member opposite that as we said before the election, during the election and after, since we've been in government, we are committed to health care, we are committed to adhering to the principles of the health care act and we are committed to funding the health care system at least to the tune of \$17.4 billion. We want a better system and we will fund it.

ENVIRONMENTAL PROTECTION

Ms Marilyn Churley (Riverdale): My question is for the Minister of Environment and Energy concerning the latest development in his clear-cutting of environmental regulation in this province.

We learned today that the minister wants to give the government's corporate polluter friends an opportunity to modify proposed standards on toxic emissions before the public knows anything about it. After the standards have been watered down to suit big business, only then would they be posted on the Environmental Bill of Rights registry. Ministry staff naturally wondered how "to avoid this being perceived as a backroom exercise which goes against the spirit of the EBR."

Minister, this is not about perception, this is reality. You are engaged in a backroom exercise which spits in the face of the Environmental Bill of Rights. My question is, do you understand why what you're doing is just plain wrong?

Hon Norman W. Sterling (Minister of Environment and Energy): I read with interest the Globe and Mail article this morning, which of course did not put forward all of the details of our full intentions with regard to this matter. I say to the member that we are revamping air quality standards at a rate which previous governments did not undertake. If her government had undertaken some of the revamping of these air quality standards, we would not have to proceed with the speed that is necessary at this time.

We are adopting a new process in setting these standards. We are taking standards from other jurisdictions and putting them in place here in Ontario. It is my belief that there should be some form of informal consultation prior to setting these standards and putting them on the

environmental registry. I will enter into these informal consultations in order to ensure that the standards are realistic, that they are low, and they are much tougher than the previous ones that were put forward by your government.

Ms Churley: The telling word there was that they are "low." I would wonder who the minister is meeting with, who he is consulting with. I say time and time again in this House that he refuses to meet with environmentalists, and the report in the newspaper today states in this document from the staff that you have to "give the appearance of" consulting with environmentalists.

Minister, the process in the Environmental Bill of Rights was the result of consensus among environmental groups and the business community. Such groups as the Canadian Manufacturers' Association, the Business Council on National Issues and the Ontario Chamber of Commerce helped develop the law we put in place. For the Mike Harris government to give polluters a chance to modify toxic emissions standards in secret and then go through a charade of public process, you are showing contempt for the Environmental Bill of Rights and thus the people of Ontario. Do you understand yet why the people of Ontario do not trust you to protect our environment?

Hon Mr Sterling: Well, I'll take that from the people of Ontario. I believe that the best way to set standards is to have information before you set those standards, and therefore I am consulting with a number of people. I would note that Pollution Probe, the Ontario Lung Association, the Canadian Institute for Environmental Law and Policy, the Canadian Environmental Law Association and the Canadian Bar Association will all be involved in these direct consultations, along with many of the corporations which provide thousands and thousands of jobs for people across Ontario. They will be consulted as well, as will the associations which deal with the industries involved in the regulation of this area.

It seems to me the most competent way to strike a standard, to set a standard is of course to consult with the people who know most about this before you do that.

SEWAGE AND WATER TREATMENT

Mr Bill Vankoughnet (Frontenac-Addington): My question is also to the Minister of Environment and Energy. I understand that the minister recently attended the official opening of the Westport Snowfluent waste water treatment plant. I would like to know, and ask the minister to explain, how this new and innovative technology works and how it will benefit the environment.

Hon Norman W. Sterling (Minister of Environment and Energy): That's a fair question. I was excited to be in Westport last weekend and opening the new Snowfluent environmental waste project, which is Ontario-developed, Ottawa-developed, technology to deal with the effluent from lagoons in that area.

This particular process converts the effluent during very cold nights during the wintertime into crystals, and in doing that, destroys many of the bacteria in that effluent. I might add that it is white snow as well. Once this snow melts in the springtime, it goes down through

a grass bed and destroys some of the other harmful chemicals evident in this particular snow which has been built up. This particular process has been tried in Maine in the United States. It's been very successful. It's a win-win for us, a win in technology and a win for Westport.

Mr Vankoughnet: This waste treatment system sounds certainly promising. Could the minister please explain what specific benefits will arise from this new facility in Westport, this treatment facility located in eastern Ontario?

Hon Mr Sterling: I joined my colleagues Garry Guzzo and Bob Runciman at this particular function. It's very important to eastern Ontario. Westport is at the upper waters of the Rideau River and Rideau Lake system, so it's important for tourism that this particular project went under way and it's important for all the other residents of eastern Ontario that the Rideau River is cleaned up.

One of the beauties of this system is that it's a zero-discharge system. In other words, nothing goes into the Rideau River; it is all taken as groundwater into the water table. Therefore, as I mentioned before, it's a win for technology, it's a win for Westport, and it's a win for eastern Ontario in terms of the Rideau River.

1500

HOSPITAL RESTRUCTURING

Mrs Sandra Papatello (Windsor-Sandwich): My question is for the Minister of Health. We have people who have travelled a great distance to be here from Lambton county today because they realize that you are closing their hospital. Your Premier campaigned on not closing hospitals. I would like the minister's response today to the people from Lambton: Why are you closing their hospital?

Hon David Johnson (Chair of the Management Board of Cabinet, Minister of Health, Government House Leader): As the member opposite knows, I'm not closing any hospitals. But I will say to the people from Lambton that there has been a report from the restructuring commission and that that report has been issued. There's a period of public input, and I hope very much that the people of Lambton, all those interested in health care in that particular area, will take advantage of the opportunity to have input through the period of time we're in right now. I would expect that the public input period would carry through until towards the end of January some time, and I would encourage them to speak during that period and make their views known.

Mrs Papatello: Minister, the reality is that the local district health council in the area of Lambton does not agree with your health restructuring commission. In fact, your own member for Lambton has reversed his position. Initially he agreed with you to close the hospital in Lambton. Today he is supporting the people from Lambton. Today your own member is saying, "We need continuous emergency care in our community."

Will you listen to your own member for your caucus? Will you listen to your Premier, who campaigned on not closing hospitals? Minister, give us the answer for the people of Lambton today.

Hon David Johnson: There is a process under way which is I think a very healthy process. It allows people to be involved, to speak. The district health council was involved. The district health council in the first instance is composed of people knowledgeable about health care in that particular community. They made recommendations. The restructuring commission has been involved. The restructuring commission makes recommendations.

Interjections.

Hon David Johnson: Now the issue — if I can say over the noise opposite — now the matter is back to the people so that the people can have an opportunity to have a say in this matter. I'm sure that the member from this area and the people from this area will avail themselves of the opportunity to speak during this period of public input. I'm most interested to hear all of their views.

Mr David S. Cooke (Windsor-Riverside): My question is also to the Minister of Health on the same issue. I met this morning with representatives of the people of Lambton as well as representatives from Huron-Perth, and in both areas hospitals are being closed. As a result of these hospital closures, one from the restructuring commission and the other one that's being studied by the Huron-Perth District Health Council, we're going to have distances where people will have to go over an hour to have access to emergency services when they've had access to small, rural hospitals in 15 or 20 minutes.

I think it's imperative that you meet with people from these communities so that you can get a better understanding about what is going to happen in rural Ontario if this kind of consolidation and cost reduction in order to pay for your tax reduction is more important than access to health care in rural communities. I'm asking you, will you meet with representatives from Huron, Perth and Lambton to explore the particular problems in rural Ontario?

Hon David Johnson: The member for Windsor-Riverside is talking about a process of course which was begun by him and his party when they were in government. The NDP invested some \$26 million when they were in government to allocate to the district health councils across Ontario to look within their communities and to come forward with recommendations.

The restructuring commission is picking up on that process begun by the former government in all communities, and at this point in time the matter is out for public input. All of the people who have come here today, all of the people of Lambton, are encouraged to state their views, have their input. It's a very healthy process. I'm sure they will have a great deal to say and everybody is anxious to hear what they have to say.

WRITTEN QUESTIONS

Mr Dominic Agostino (Hamilton East): On a point of order, Mr Speaker: I tabled a request on October 17 initially for order paper questions 598 to 638. There was an interim response on October 30, telling us that the information would be available November 15, 1996. Last time I checked, it was December 17, 1996, and these 40 order paper questions for the Ministry of Community and Social Services have not been responded to.

It is normally a two-week period. It has now taken two months. I would ask you to look into it and ask for the response.

The Speaker (Hon Chris Stockwell): I will look into it.

Mrs Elinor Caplan (Oriole): On a point of order, Mr Speaker: I stood yesterday and raised a similar point of order about order paper questions that should have been answered because the ministry said they would be answered either on December 6 or, at the latest, December 12.

I put the minister on notice that I intend to stand in my place and ask that those questions be answered every day until the minister answers them. I thought I would have them today, because I asked so nicely yesterday.

The Speaker: Especially if you ask so nicely. I ask the minister to take note.

SPEAKER'S RULING

The Speaker (Hon Chris Stockwell): I'm just going to rule quickly for the member for Algoma with respect to the statement about not telling the truth. Through some crackerjack —

Mrs Marion Boyd (London Centre): The statement wasn't true.

The Speaker: Excuse me? The statement wasn't true, okay. I'm sorry. The crackerjack table staff have come up with some examples of some statements in the past that have been ruled out of order by various and sundry Speakers. I could go through them all, but just to give you an example:

"The statement he made is simply not true": On February 14, 1983, it was ruled out of order.

"The member knows it to be untrue": On February 16, 1983, it was ruled out of order by Speaker Turner.

"I believe the statements he has made are blatantly untrue": By Speaker Turner on April 5, 1984.

I say to the member for Algoma, there are other points in the standing orders. There is a particular ruling in the standing orders. On page 18, ruling 23(h) says, "Makes allegations against another member." I think that basically holds true. The fact of the matter is, as Speaker, it seems to me that if you're going to say the statement is untrue, it's tantamount to saying, "You're not telling the truth" or "You're lying." I can only read it that way. If you're trying to correct the member, you can do it in —

Interjections.

The Speaker: If you're trying to correct the member, you can do it in so many other ways without putting yourself out of order. I appreciate the comments.

Mr James J. Bradley (St Catharines): On a point of order, Mr Speaker: Your definition, Speaker, makes it difficult because I understand what the House wants, and that is, you don't want one person to suggest that another person is lying in the House or is somehow misleading the House. But to say that a statement isn't true, I would hope that you would take it in the context of how it's said instead of simply ruling it out.

I understand what your problem is with it, and in some cases that would certainly be something that shouldn't be accepted, but in other cases saying that a statement isn't

true might be acceptable because it might be a statement they're making that somebody else made, or something of that nature. I just hope you would use some flexibility there.

The Speaker: To the member for St Catharines, all words are in order, really; it depends on the context in which they're used and how they're used. Quite frankly, I agree with you. You could be reading something into the record from another article or something, and maybe you don't agree with it and say it's not true. But the way it was suggested at the time and the context it was used in, it was a direct reflection on the minister herself and I saw it as in fact substituting "You're not telling the truth" for "You're lying."

Mr Bud Wildman (Algoma): Mr Speaker, on a point of order: For clarification, would it then be appropriate had the member said instead of, "That statement is untrue," "The statement is incorrect"?

The Speaker: Again, it's going to be the call of the Speaker at the time, but if the member had heckled, "What you're saying is incorrect," I doubt very much I would have asked her to withdraw.

PETITIONS

FIRE SAFETY

Mr Rick Bartolucci (Sudbury): This petition is in response to Bill 84 and it's to the Legislative Assembly of Ontario.

"Whereas the firefighters of Sudbury and Ontario are very concerned about Bill 84;

"Whereas we feel Bill 84 is unfair;

"Whereas we feel Bill 84 is discriminatory;

"Whereas we feel Bill 84 endangers the wellbeing of the people of Ontario;

"Whereas we feel Bill 84 requires extensive changes;

"Whereas we feel Bill 84 needs broad provincial public hearings before implementation;

"We, the undersigned, therefore petition the Legislative Assembly of Ontario to demand the Solicitor General to rewrite Bill 84 before being enacted into law and only after extensive public hearings across Ontario."

I sign this petition as I am in agreement with it.

ADJOURNMENT MOTION

Mr Tony Silipo (Dovercourt): I think the Minister of Municipal Affairs needs some more time to reflect on his position on the megacity and so I move adjournment of the House.

The Acting Speaker (Mr Bert Johnson): Is it the wish of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the nays have it.

Call in the members; a 30-minute bell.

The division bells rang from 1512 to 1542.

The Speaker (Hon Chris Stockwell): Mr Silipo has moved adjournment of the House.

All those in favour, please stand and be recognized by the Clerk.

All those opposed, please rise and be recognized by the Clerk.

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 11; the nays are 75.

The Speaker: I declare the motion lost.

ORDER OF BUSINESS

Mr Ed Doyle (Wentworth East): I move that we now proceed to introduction of bills.

The Speaker (Hon Chris Stockwell): Agreed?

All those in favour, please say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

This will be a 30-minute bell.

The division bells rang from 1544 to 1614.

The Speaker: Order, please. Minister of Environment and Energy, come to order.

Mr Doyle has moved we proceed to introduction of bills. Would you stand and remain standing until recognized by the Clerk.

All those in favour? Thank you.

All those opposed, please rise.

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 51; the nays are 23.

The Speaker: We will now proceed to introduction of bills.

INTRODUCTION OF BILLS

CITY OF TORONTO ACT, 1996

LOI DE 1996 SUR LA CITÉ DE TORONTO

Mr Leach moved first reading of the following bill:

Bill 103, An Act to replace the seven existing municipal governments of Metropolitan Toronto by incorporating a new municipality to be known as the City of Toronto / Projet de loi 103, Loi visant à remplacer les sept administrations municipales existantes de la communauté urbaine de Toronto en constituant une nouvelle municipalité appelée la cité de Toronto.

Interjections.

The Speaker (Hon Chris Stockwell): Order. Agreed?

All those in favour will please say "aye."

All those opposed, please say "nay."

In my opinion, the ayes have it.

Call in the members; a five-minute bell.

The division bells rang from 1618 to 1623.

The Speaker: Mr Leach has moved first reading of Bill 103.

All those in favour please rise one at a time and be recognized by the Clerk.

Ayes

Arnott, Ted
Baird, John R.
Barrett, Toby
Bassett, Isabel
Boushy, Dave

Galt, Doug
Guzzo, Garry J.
Hardeman, Ernie
Harris, Michael D.
Johns, Helen

Rollins, E.J. Douglas
Runciman, Robert W.
Sampson, Rob
Saunderson, William
Sheehan, Frank

Carr, Gary
Carroll, Jack
Chudleigh, Ted
Clement, Tony
Danford, Harry
Doyle, Ed
Ecker, Janet
Elliott, Brenda
Eves, Ernie L.
Fisher, Barbara
Flaherty, Jim
Ford, Douglas B.
Fox, Gary
Froese, Tom

Johnson, Bert
Johnson, David
Kells, Morley
Klees, Frank
Leach, Al
Marland, Margaret
Martiniuk, Gerry
Maves, Bart
Munro, Julia
Newman, Dan
O'Toole, John
Ouellette, Jerry J.
Palladini, Al
Parker, John L.

Smith, Bruce
Snobelen, John
Spina, Joseph
Sterling, Norman W.
Stewart, R. Gary
Tilson, David
Tumbull, David
Vankoughnet, Bill
Villeneuve, Noble
Wettlaufer, Wayne
Witmer, Elizabeth
Wood, Bob
Young, Terence H.

The Speaker: All those opposed please rise one at a time and be recognized by the Clerk.

Nays

Bartolucci, Rick
Bisson, Gilles
Bradley, James J.
Brown, Michael A.
Caplan, Elinor
Churley, Marilyn
Cleary, John C.
Colle, Mike
Conway, Sean G.
Cooke, David S.

Cordiano, Joseph
Crozier, Bruce
Duncan, Dwight
Grandmaître, Bernard
Gravelle, Michael
Hoy, Pat
Kennedy, Gerard
Laughren, Floyd
Marchese, Rosario
Martel, Shelley

McGuinty, Dalton
Patten, Richard
Phillips, Gerry
Pouliot, Gilles
Pupatello, Sandra
Ruprecht, Tony
Silipo, Tony
Wildman, Bud
Wood, Len

Clerk of the House (Mr Claude L. DesRosiers): The ayes are 56; the nays are 29.

The Speaker: I declare the motion passed.

Does the minister have any opening remarks? I take it you don't? You do? Okay.

Hon Al Leach (Minister of Municipal Affairs and Housing): I just wanted to let the House know that it is a privilege and an honour to move a bill of this magnitude, a bill that is going to bring some sanity to the overlap and duplication we presently have in this area.

Mr Sean G. Conway (Renfrew North): On another point of order, Mr Speaker: Do we have any mechanism that would allow the member for Etobicoke West to cast a vote on this first reading?

The Speaker: No, there's no mechanism.
1630

ORDERS OF THE DAY

ROAD SAFETY ACT, 1996 (No. 2)

LOI DE 1996

SUR LA SÉCURITÉ ROUTIÈRE (N° 2)

Mr Ouellette, on behalf of Mr Palladini, moved third reading of the following bill:

Bill 92, An Act to promote road safety by implementing a safety rating system for commercial carriers and other measures to encourage compliance with and improve enforcement of Ontario's road safety laws and to amend various Acts administered by or affecting the Ministry of Transportation / Projet de loi 92, Loi visant

à promouvoir la sécurité routière par la mise en oeuvre d'un programme de cotes de sécurité pour les véhicules de transport utilitaires et d'autres mesures conçues pour favoriser l'observation et améliorer l'application des lois de l'Ontario portant sur la sécurité routière et modifiant diverses lois dont l'application relève du ministère des Transports ou qui le concernent.

The Speaker (Hon Chris Stockwell): The member for Oshawa?

Mr Jerry J. Ouellette (Oshawa): No, we'll wait for the debate, Mr Speaker.

The Speaker: You're the first one to debate.

Mr Ouellette: I'd like to add a few words to my colleague Mr Palladini's comments on the fall road safety bill.

Our government is committed to making Ontario roads safer. Last year, when we introduced our plans for road safety, we set ourselves an ambitious agenda. We have already achieved much. Based on those achievements, I believe the public can judge for themselves that this government is very serious about its commitment to road safety.

We said we would target specific driving problems, and we have. We said we would make traffic enforcement more effective, and we have. We said we would introduce measures to improve truck safety, and guess what? We have. Today's bill focuses on this last area of concern. Trucks, truck drivers and operators will feel the impact of this legislation. It is aimed at ridding our roads of the unscrupulous and unsafe, but the good drivers have nothing to fear. In fact, this legislation will allow the safe trucks, safe drivers and safe operators to compete on a level playing field.

All of Ontario's plans for action on road safety are comprehensive measures that involve many ministries and many partners. They are evolving measures that adapt to the issues they target, and they are practical measures aimed at producing practical solutions.

The fall road safety bill is another step forward in our plans. We introduced safety measures last spring. We are continuing with these truck safety measures today, and we are developing other safety measures that we intend to introduce next year.

This government will not rest. We will continue to make sure that Ontario roads are as safe as possible. I give my full support to this bill because I am pleased to do my part to change attitudes. I want to continue to do my part to reduce the deaths, injuries and destruction on our roads.

The Acting Speaker (Ms Marilyn Churley): Questions or comments?

Mrs Elinor Caplan (Oriole): I want to say that never before in the history of the province have we seen such fundamental, bad change proposed without people having the right to think about and debate fully what is being proposed. It is my view, and I think it is the view of all the studies that have been done on the type of changes that we should have in the Metropolitan Toronto area — none of them has recommended a megacity.

The Acting Speaker: Take your seat for a moment. We're not debating that bill at the moment. You need to be responding to the highway safety bill.

Mrs Caplan: The reason I am making the point now is because road safety in Metropolitan Toronto, I think, is one of the things that will be at stake and it will be affected if this government proceeds. We will see higher taxes, fewer services, a real impact on the community life in this great municipality, and road safety could well be jeopardized as well. Everything this government is doing is contrary to all the things they promised to do.

I remember that during the election campaign Mike Harris said, "I have no plans to close hospitals." He also said that his plan was to abolish the Metro level of government.

I will say that while I think this road safety bill has much to commend it, I am very concerned that this government is rushing headlong to create a megacity where we will see taxes increase, services decline. In fact, the greatest city in North America, the greatest city in the world, a city which has generated enormous economic prosperity for this province, namely, Metropolitan Toronto, will be tinkered with in a way that will damage our quality of life and we will be forever sorry that this government proceeded as they did.

Mr Gilles Bisson (Cochrane South): To the parliamentary assistant, in regard to Bill 92, I would say it was interesting listening to the comments, because I think government is beginning to understand that there is a role for government in the rules and regulations. The government, through this legislation, is finally starting to understand that if you allow things just to happen as they might, if the government doesn't play some kind of role in regulating how a particular industry operates, often it means things will happen that are not in the public interest. The government, in coming forward with Bill 92, in bringing forward this bill which regulates truck safety in the province, is finally acknowledging, contrary to the mantra they've been using in this place for the last year and a half, that regulation in itself is not a bad thing, that in fact the government can and should play a positive role in making our roads safer.

The government, in doing this, is finally starting to see the light of day and that the government does have a responsibility. Its responsibility in this particular case is to make sure that our roads are safe, and the only way you can do that is by setting out rules, such as we're doing in Bill 92 today, which put in place regulations about how truck safety is to be dealt with in the province.

It's interesting that the government is coming forward with this particular initiative. I've been listening to the government for the last year and a half and this government has been railing against regulation and saying: "We've got to get rid of all the regulations in the world because they're a bad thing. Regulations are terrible. They're a hindrance to business. They just make absolutely no sense at all." But the government is finally realizing that there is a role for government, and one of the roles the government plays is to set rules by which commerce, or transportation in this particular case, is governed. The government, through this particular bill, is finally coming to the light of day in understanding there is a positive role that it can play.

Mr John O'Toole (Durham East): It's a pleasure to speak in support of Bill 92. I think the member for

Oshawa, my good partner here, summed it all up in his opening remarks, to say that road safety is indeed important to each and every citizen of Ontario. I think the present Minister of Transportation, Mr Palladini, has certainly put as a centrepiece to all his legislation dealing with transportation issues in this province that safety is first, whether it's truck transportation or indeed unsafe drivers.

It's a pleasure for me to address this more specifically today, as my daughter Marnie is here, and she has just driven from Western University. To see her get here safely — indeed, each one of us over this Christmas season is always definitely concerned about the safety of our family. I congratulate the minister for taking these steps to ensure each one of us can rest assured that safety is central in transportation issues.

Mr Gerry Phillips (Scarborough-Agincourt): I'm pleased to comment on the member's comments on the road safety bill and to say that I think we had an indication today of the government's commitment to safety. They have determined they're going to go ahead with amalgamating Metro Toronto without any evidence that it is in fact going to save money.

In terms of road safety, here is the recommendation from the consulting firm that you paid \$100,000 to. What does it say about road safety? It says: "Volunteer support to police. Storefronts run by volunteers...." In other words, we're going to get volunteers off the street: "Come and help us on road safety. Come in and look after the police station." This is what your consultant says. To do what? To report on accidents. So, no longer will police handle this. Your own consultants say, "Go out and get volunteers, unpaid volunteers, to man these police stations."

The reason I raise all of this is, here is the report that your caucus has been asked to support amalgamation on, a three-week, rushed report, designed to simply provide an unsubstantiated savings for amalgamation, and I just use one example in here, volunteers. I think the public should be outraged. What you're suggesting is, you're going to say, "Would you volunteer to go and look after the police station while we don't have police to report on accidents?" It is absurd.

What you're doing — and every member in Metro Toronto should recognize this. Your careers and the future of Metro are hinged on a three-week study quickly devised by the Minister of Municipal Affairs; \$100,000 spent, a waste of money, designed to substantiate the minister's whim.

The Acting Speaker: Thank you. The member for Oshawa.

Mr Ouellette: I'll just say that I'll deal with the legislation, and this legislation is to deal with trucking safety. It deals with the irresponsible aspects of the trucking industry and that we're making our roads safer. I would assume the lack of debate regarding the bill by the members opposite is a sign of support of the actual legislation.

The Acting Speaker: Further debate?

Mr Mike Colle (Oakwood): This bill that's before us is important to all Ontarians because it deals with a problem that the minister has tried to address and I think

previous ministers have tried to address, and that is that you had a deregulated trucking industry, and as a result of deregulation there are problems that have occurred. I think the problems are very evident to most Ontarians. We've seen flying truck tires. We've seen rigs that have been stopped at blitzes; 70% of rigs sometimes stopped on the highway have been proven to be not roadworthy. This is what happens when you don't have enough standards or enforcement of standards.

In this bill, the minister is trying to close some of those loopholes, and I have mentioned that I commend him for trying to do that, because obviously these were in many cases historical shortcomings in this industry, and he has been brought on to try to tighten up the regulations and introduce some new supervision.

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With the CVOR recording, I think this will certainly take some of the problems out of the irregularities in the recording of safety records, of conditions of vehicles and the auditing of trucking companies in this province. As you know, over 70% of the freight, goods and services, delivered in this province is delivered in trucks. It is an industry that has grown by leaps and bounds and it is an industry that deserves a great deal of attention.

I think yesterday we mentioned that perhaps the minister should be looking forward to taking a number of more aggressive steps, that this is one step. The other step which is critical I think is that there be a system of demerit points against truck drivers who have bad driving records or companies that operate trucks that are certainly unsafe. The minister has promised us that and we're anxiously waiting for the demerit points system to be introduced. I'm not sure when he's going to do that, but that is critical also.

The other thing that's important, and I'm led to believe that the staff and the ministry is looking at it, is the area of automatic roadside suspensions. I know it's quite complicated. In other words, what are the standards that you use to take an unsafe truck off the road? Do all the tires have to be bald, to what degree?

Interjection.

Mr Colle: Yes. How bad do the brakes have to be? I know the ministry staff is looking at that because I think eventually this will be another very important weapon, you might say, in the minister's arsenal to give a strong signal. It's the trucking companies that have traditionally tried to flout the laws and have maybe got away with it in the past. We have to essentially do some preventive legislation here that says to these trucking operators who are trying to cut corners that it will not be tolerated and there will be demerit points taken away. There will also be automatic roadside suspensions, which is an administrative suspension. I think that type of administrative suspension will be another effective tool, and on this side of the House, we're anxiously awaiting that kind of legislation because it adds a lot more teeth to the ministry.

The ministry obviously has changed its approach. As you know, the whole approach of the neo-conservatives is to have no regulation, a laissez-faire type of government, and in transportation that doesn't work. You can't have it. You have to have regulations. You have to have

effective regulations, so I am glad to see the minister has not listened to the neo-conservative whiz kids who've told him, "Leave the playing field open, an ad hoc situation." That doesn't work and I think he's seen the light there, that you need a government that can regulate public safety. Public safety is what this bill is all about.

One of the trends, and I think the member for Scarborough-Agincourt mentioned it — he's very concerned about the privatization of public safety. I know this is one area the Minister of Transportation is heading towards. They're trying to privatize everything, emergency services on the GTA highways, and they're privatizing inspection of road construction.

What really concerns me is what was in the KPMG report issued by the Ministry of Municipal Affairs and Housing, where they're now even going to talk about privatizing police services. This is the most incredible piece of news that we've heard since this government — we've heard a lot of incredible news put forth by this government. This is going to endanger road safety all across Metro. They're saying "civilianization." Now where did they get this word? "Civilianization of police services. Many jobs now done by sworn officers can be turned into civilian positions at reduced salary costs." I hope the Minister of Transportation doesn't follow this approach.

The next thing: I'm forewarning the Minister of Transportation because he is a man who listens and I respect him for that. He has been listening and I respect him for being a good listener. I don't always agree with what he's done, but he does listen and that's why I'm giving this warning to him: Don't listen to the neo-conservative whiz kids who tell you to privatize the MTO to the extent that we don't have safety out there.

The other thing the whiz kids at KPMG are recommending is, "Further outsourcing of certain police functions." I don't know what this means — maybe the drug enforcement squad, the RIDE program could be privatized. We cannot afford that. We need trained, fully qualified, sworn-in officers to do the RIDE program and to do the truck rangers and the OPP. We need those trained and sworn-in officers, because they have the respect of the public.

Then the whiz kids are saying to have this white collar crime unit: "Fraud and white collar crime services. Potential exists to contract out fraud investigations to private firms" — does this mean like the Matt Helms of this world, the Mickey Spillanes? — "which have the skill and the experience to investigate these matters and present the evidence to crown counsel for assessment and prosecution." In legislation you can't privatize people who are doing audits. In some of these trucking firms, there is fraud taking place where they're trying to fudge the CVOR records. We can't have that privatized. Let sworn-in officers do that.

Another thing they're recommending in privatization of police and inspection which is very dangerous: "Differentiated services. Further potential exists to differentiate those duties which call for a fully trained police officer from those which could be done by someone with the powers of arrest but not a fully trained police officer."

The Minister of Transportation knows — I know that in the installation of wheels he has brought in a very

good program on wheel installation so that it will prevent a lot of those flying truck tires. In fact, they've organized a training program for wheel installers. You need training and you need education. What is the Minister of Municipal Affairs recommending? He's recommending that someone could be arresting people but is not a fully trained police officer.

The other thing: We can't afford to have volunteers do our policing on our highways. It doesn't work. The Minister of Municipal Affairs is recommending volunteers support the police, storefronts run by volunteers. I can imagine one of these storefronts run by volunteers in Parkdale, in areas of the city where crime has been beaten down because of trained police officers. The trained police officers on the front lines have beaten down crime in places like Parkdale and in my area of Oakwood. Now to say all of a sudden you're going to replace this with storefronts run by volunteers — this is incredible.

The Acting Speaker: Could I ask the member to come back to speak to highway safety, please?

Mr Colle: What I'm pointing to is the fact that you've got to have trained people, trained officers to make sure our highways are safe and to make sure our streets are safe. It's the same thing, Madam Speaker. You can't do it by volunteers. That is the approach the Mike Harris government is now taking.

If you're going to bring in volunteers, not fully qualified officers, to do policing, what kind of message are you giving to the Ministry of Transportation in terms of truck safety? Is the Premier now saying that you've got to get away from the training of officials to install wheels, that you've got to get away from the training of the truck troopers and the OPP Highway Rangers? They are fully qualified officials, trained, educated, sworn in. They have the respect and the authority to do it.

What I'm concerned about is that transportation not follow the lead given by the Minister of Municipal Affairs and his Premier saying that you now go to volunteers to inspect trucks, that you go to volunteers to do RIDE programs and inspect our highways. That is not going to fly. No matter how much money this will save, you need to invest in trained, highly qualified civil servants and police officers. There's no way you can do that across Ontario's provincial highways without having the most highly qualified individuals. It's a very dangerous trend we're in right now and I hope MTO doesn't go down that road.

I know that in Bill 92 there's an attempt to say that a government must keep a very close eye on the trucking industry, because when governments have not done that and have assumed that the private sector would police itself, obviously those of you who are believers in the private sector as manna from heaven now know that the private sector has failed miserably when it comes to truck safety.

1650

I know the Minister of Transportation comes from the private sector and he knows there are many benefits in the private sector and many advantages, but there are also shortcomings. That's why the minister had to step in, because he himself saw that the private sector was not fulfilling its commitment to road safety.

That's not all the trucking companies, but there was a significant number of trucking companies that over the last number of years have been flouting the law. Truck after truck has been on our highways endangering life, limb and property on a daily basis, and that has to stop. That's why this bill at least recognizes the fact that government has a critical role to play in truck safety and safety on our highways.

I know that the new registrar is going to be given much more power under this act, and I hope that the registrar who is appointed — in fact, he has been appointed already. It's a former MTO official. I think he is a very conscientious individual and I wish him well because he has a very difficult job ahead of him. I hope that he has the staff to direct a comprehensive safety audit, a comprehensive monitoring of the CVORs, the commercial vehicle operators' registrations, that they be audited on a regular basis so there aren't any more of these fly-by-night companies that are flouting the law.

One of the concerns I have in this bill is also in terms of what happens to the out-of-state — or I should say the trucking companies that are in the United States and the trucking companies that operate outside of Ontario borders. Will our officials have the wherewithal to ensure that all the documentation, all the records that may be kept in the parent company in Quebec or kept in perhaps one of the adjoining states are available to our officials at all times? As you know, there are a variety of out-of-country trucking firms, hundreds and thousands of trucks today on our highways, that use our highways, that are not Canadian or Ontario owned. That is another area of challenge that I know the minister is going to have.

Also, Highway 407: What happens with those trucks that are out-of-state — I should say from the States, from Quebec? Will they be able to track them down to pay the tolling fee? I know the province of Quebec has problems with some of that legislation because they don't recognize any evidence taken from photo cameras.

The other problem is there are no agreements in place with the American states in terms of collecting tolling fees. That is of great concern because the trucking industry in Ontario is not an Ontario-only industry. It is North American, and with free trade, I can imagine what's going to happen when the Mexican trucks come up here. I'm not looking forward to that day. I don't know if the minister has a contingency plan for the Mexican trucks coming across the border, but I'm certainly very concerned that perhaps there should be a plan put in place for the Mexican trucks when they come across. Frankly, their standards in Mexico, in certain areas of safety, are not up to Canadian standards.

When those Mexican carriers come up here, we certainly have to have a response that's immediate, to send the Mexican carriers a very stern message that we mean business here in Ontario, that we're not going to allow them to flout our laws, as a lot of our own Ontario trucking firms have done and a lot of American firms have done.

Our highways will be open to people from all over the world and our motorists deserve the highest level of protection. No one is immune from a flying truck wheel. I mentioned just last Friday that there was another flying

truck wheel on Highway 11. Luckily no one was hurt. It took two days to find out where the truck wheel came from, but they tracked it down.

There has to be almost a total reversal in attitude from the political ideologues across the way in terms of the way they approach regulation. I know some of you don't believe in regulation and think that's a dirty word, but in truck safety and road safety good regulation is critical, because what it means is not only \$450 million lost in Canada as a result of accidents, but the congestion on our highways. I know that back in June there was a nine-hour meltdown because an accident happened near Port Credit. The Speaker will remember that. Almost all of the GTA came to a standstill because of a trucking accident down the QEW near Port Credit.

It's not only a matter of safety; it's also a matter of cost. That congestion on the QEW which closed down almost all of the western part of the GTA must have cost all the distributors and commercial conveyors of goods and services probably over \$1 million, I'm sure. You can imagine the time lost, the gasoline, the diesel fuel etc. We also had a fuel spill recently too, where there was a \$500,000 cleanup cost because a truck tipped over.

It's not only in terms of danger; it's also in terms of the cost that is incurred by innocent motorists. Almost every day on the 403 or the 401 you can see there's been a major tie-up because of some rig that has turned over, some rig that's had a major accident.

It's not like a car having an accident because these rigs sometimes hold very volatile, dangerous fuel, so it means the whole highway gets shut down. I think the police are doing the right thing. They can't take a chance. If you've got a potentially flammable liquid in one of those tankers, it could mean a serious loss of life. So far our front-line OPP officers have done a fantastic job of containing those spills, of ensuring there aren't further ripple accidents caused by that truck tipping over.

That's why it's critically important we realize that whatever money we spend in doing more audits, in setting up more regulations — good regulations — that control trucking in Ontario saves money, saves lives, saves hospital bills and saves literally hundreds of millions of dollars a year in congestion. We know that in the GTA it costs operators about \$1 billion a year in lost time and energy costs as a result of congestion. Therefore, when there's less congestion, the trucks move properly, they aren't causing accidents, the roads move freely and goods and services get delivered in a more opportune and faster time frame.

Whatever type of regulation the minister brings forward, I generally support. I always ask him to make some changes, to maybe proceed a little faster, but I know he's having quite a fight on his hands with the political ideologues who don't want any more regulation. At least he as a minister has said, "I am going to get tough on trucks," and I believe him when he says that and I think he's tried. The only thing that's held him back is the ideologues who say that government should stay out of the business of highways, that government should privatize, that government has no role, that government should be basically a meek and mild person

hiding under the blankets, but I think the minister's not that type of person.

The minister has said he's got a job to do and he's tried to do it despite the constraints the ideologues of the right have put on him and said: "No, don't regulate. Let free enterprise do what it wants because free enterprise is always right. Unbridled capitalism is perfect." We know that's not perfect. We know capitalism needs to be constrained. Good capitalism wants rules; bad capitalism doesn't want rules. The minister I think is a good capitalist. He wants to play by the rules. That's why he's in many cases saying, "I'm bringing forth legislation on more inspections, on demerit points." He wants to bring forward regulation on automatic roadside suspension. He's gone ahead and spent money on training truck installers and he's insisted that be done because he knows that if you leave it to just the pure laissez-faire types, they're not going to do it. What they're going to do is what they're doing and have done in the trucking industry for too long. They've said, "Take that truck out and make sure you make that delivery in time or it'll cost us money."

1700

So the poor truck driver, what does he or she have to say? They know that if they don't take that truck out with these unscrupulous companies, they may lose their jobs. That has been too common, too prevalent on Ontario highways, and I hope we're beginning to see a change in this attitude by the trucking industry. The attitude should be one of safety first, safety second and safety third, always safety, rather than saying, "Profit, profit, profit."

The laissez-faire attitude is: "Well, just as long as you make a buck. Get out there and get that truck out there. I don't care if the tires are bald and the brakes don't work and you're overloaded; just get that truck out there. I don't care whether you've had 10 hours' sleep or two hours' sleep."

There are truck drivers who have said that. They said they've had to take these pills to keep them awake because they had no choice. If they didn't take that truck out and get there in time, they would lose their job, because there's a system in place in the last number of years called just-in-time delivery. Maybe that's the root of this problem. The just-in-time-delivery system means that if you don't deliver that load to the destination, the truck operator or the truck driver can get a heavy fine. Sometimes there have been cases of deliveries being five to 10 minutes late and they're slapped with a fine with that just-in-time delivery.

What's happened in the last number of years is that trucking firms and I guess manufacturers have found out that there isn't a competitive advantage any more in having these big warehouses. So what they do is they deliver the products right from the factory to the place where they'll be used. There's no intermediary holding area, and that's put immense pressure on the trucking companies and the truck drivers. All over Ontario there are these truck drivers and trucking firms that literally have got a gun to their heads because they're on the clock and they know if they can't get to Chatham or they can't get to Belle River or they can't get to Manitowadge by 5 o'clock, they're going to be fined so many

hundreds or thousands of dollars per minute or per hour that they're late, and that puts enormous pressure.

The member for Nepean talks about leaving on time. How can you predict whether the road is going to be snow-covered, ice-covered? How can you predict whether you're going to confront an accident on Highway 16 if you're on your way to Nepean? There's no way that poor truck driver will be able to predict that. Even though they're supposed to be in the Glebe by a certain time, if there's a truck accident down there on Highway 16, they're going to be late. So the poor truck driver is a victim of circumstance.

That is the type of thing that happens every day on our highways. I'm sure those of you who have travelled as motorists know, and I know my good friend and colleague from Cornwall will tell you, that what can happen on the road to Cornwall is that you'll more than likely run into one of those giant mega-potholes. So there you are. Because of the cutbacks, the member for Cornwall will tell you that the potholes are bigger than ever. He was just telling me today that the potty holes in Cornwall are as big as or worse than they were last year.

Hon Noble Villeneuve (Minister of Agriculture, Food and Rural Affairs, minister responsible for francophone affairs): Tell him the truth, John.

Mr Colle: I believe my good friend. I have no reason to disagree and challenge the member for Cornwall. He drives those — in fact, you'll recall that earlier this year his front end was totally destroyed, out of alignment, because of the potholed —

Interjections.

Mr John C. Cleary (Cornwall): It was the struts.

Mr Colle: The struts — that's part of the front end — because he hit that pothole. Now he tells me that these potty holes, as he calls them, are back and are bigger than ever. I was relating that example of my good friend from Cornwall in terms of what could happen to a truck driver. If you're on a truck route going to Cornwall or you're going across to Hawkesbury, you're trying to get to Quebec, whatever it is, and you run across a road —

Hon Mr Villeneuve: Go to the casinos.

Mr Colle: No, truck drivers don't go to casinos. They don't go to casinos, I've been told.

Anyway, truck drivers can run across a bad stretch of highway and that bad stretch of highway could cause damage to their truck. It could also very easily take their brakes out of alignment — I should say it could do damage to their brakes — and therefore they're delayed in their delivery. I know there's a lot of pressure on our trucking industry, on our truck drivers, because of the just-in-time delivery system. That's something that is really up to the owners, the captains of the trucking industry, to change their attitudes on.

I read a letter here yesterday from an anonymous truck driver who was afraid of being mentioned. He said, "I was fired because I was the chairman of the safety committee." Every trucking firm in this province should be setting up a safety committee and encouraging these truckers to form safety committees rather than firing them. The minister should go around the province encouraging the setting up of local safety committees with almost every trucking firm that's of a reasonable

size or so. What's wrong with that? That would be preventive medicine. You wouldn't need to have as many inspections, possibly, if you knew that in every truck yard there was a good safety committee that was getting a pat on the back, not a kick in the rear end, from the trucking company owner.

But right now there still are too many unscrupulous trucking company magnates who are kicking good drivers in the rear end and saying, "Either get out on the road or don't ask me about truck safety." They're saying, "Get that truck to Montreal, get it up to Hawkesbury, and you've only got nine hours to do it." That attitude has got to change. I know the minister has been working to try and change that attitude. As he progresses to understand that he has a critical role to play in highway safety, I tell the minister over and over again, don't listen to the whiz kids who say that the private sector will take care of our roads. I know he's privatized the maintenance and the plowing of roads in the Chatham district, and they're going to do it all across Ontario. I know he gave in on that one to the whiz kids who said, "Privatize, privatize, privatize."

You know what's going to happen? As you privatize — and the minister has been sold a bill of goods on this privatization mania — the whiz kids will be proven wrong, because what's driving that private sector consortium that is now in charge of road safety in the Chatham area, let's say, to do a good job, to plow the road or to fix the potholes? They're going to be driven by profit, and I hope that profit will not be put ahead of safety. This is a definite trend that this government has embarked upon, the trend of privatization. Just as they've embarked on this megacity madness, so have they embarked on the privatization madness. I worry about this trend towards unbridled privatization.

We would not argue with you, and I would not argue with the good Minister of Transportation, on some privatization. We all know that some things should be privatized, but not full-scale privatization.

Mr John R. Baird (Nepean): Like what?

Mr Colle: Privatize the Corel Centre.

Mr Baird: What should we privatize? Tell us, Mike.

Hon Mr Villeneuve: Tell us, Mike.

Mr Colle: I want to get off that. The time has come for the minister to take more bold steps to ward off the privatization hordes, because sooner or later they will sell him a bill of goods, will ask him to privatize even his own ministry's name. They may want to call it the Ministry of General Motors. For a buck he might sell the name of his ministry. I don't know. I hope he doesn't do that. I know he wants to sell off the names of subway stops and he wants to do something about hamburger signs on the highways. I tell him, be careful, Minister, you're going into dangerous waters, because before you know it we'll have such a selloff of everything.

As I said, they're going to start calling Nepean Corel. He'll be the member for Corel. For a thousand bucks you can be the member for Corel. Every time, Michael Cowpland will be happy because he gets his name mentioned, and the member for Nepean will be the member for Corel.

In conclusion, Mr Speaker, I appreciate your attention, because I know you have to use the Queen Elizabeth Way and you know how important roads are to the people in your good area in the wonderful city of Mississauga.

I thank the minister for taking this one small baby step but I want him to take some giant steps. I know you're capable. Don't listen to the whiz kids. Listen to the truck drivers, listen to the ordinary people, Minister; you can't go wrong. And listen to the member for Cornwall, who knows that potholes are back. Don't let them come back. Make our roads safe; make them sound.

1710

The Acting Speaker (Mr Gary Carr): Questions or comments?

Mr Len Wood (Cochrane North): I just wanted to make some brief comments on the member for Oakwood. He ended up talking about potholes, and it's quite true. In northern Ontario we have potholes inside of potholes. It's no wonder that the wheels are falling off the transports as a result of poor maintenance on Highway 11 and Highway 655.

We did a survey a number of years ago and there were somewhere between 10,000 and 12,000 transports coming up through northern Ontario travelling from the east to the west, and they have no choice but to go along Highway 11. We saw all kinds of incidents where the companies have said: "You must get that transport load delivered on time. If it's not delivered on time we're going to dock a certain amount of money from the cheque you're going to get." As a result, they have no choice but to cut back on what would be a safe transport and the amount of time it takes to deliver that load.

I'm sure you have transport drivers out there who are overtired; they haven't done the safety checks on the transports, and they've maybe been driving with no breaks. There are all kinds of examples of transports being pulled over.

I'm sure that with the legislation being introduced today on the megacity, they're going to see the same thing in Toronto as they see in northern Ontario when they start privatizing the roads and privatizing the transportation system. We're going to be back to the system we have.

We see that they're cutting back on dollars. They're not going to put the passing lanes that they were supposed to put between the town of Moonbeam and Smooth Rock Falls. As a result, safety is going to be put at risk. We don't even have shoulders wide enough that you could pull over. Now, when a transport wants to get off the road to check his tires, they have to get an OPP officer out there with flares on the front and flares on the back because there is no room to pull off to the side. People are being put at risk. School buses travel these roads bringing kids back and forth to school.

I agree with what the member for Oakwood has said, that this bill is in the right direction but it doesn't go far enough to make the roads safe.

The Acting Speaker: Further comments or questions? The member for S-D-G & East Grenville.

Hon Mr Villeneuve: Thank you, Mr Speaker, and I want to commend you. This is one of the first times I've

seen you in the Speaker's chair, and you're doing an admirable job. Congratulations.

As to the comments of my colleague the member for Oakwood, I must tell him that he has certainly not been to eastern Ontario recently. I am proud to tell the honourable member for Oakwood that there was more pavement laid in eastern Ontario this year than the five previous years put together. The shoulders on Highway 416, on 417 and on 401, where the pavement was ground up and put back — the 401 and the 417 are in the best condition I have ever seen them, bar none.

I want my colleague from Cornwall to comment, indeed, on how bad or how good Highway 401 is. I am very proud of the Minister of Transportation to have brought in this additional safety bill, Bill 92, which will further protect the drivers using our highways, our very much improved highways.

The Liberal Party, when in power from 1985 to 1990, promised on half a dozen occasions: "Highway 416 is coming. It's coming, it's coming, it's coming." Gilles Pouliot at least built a couple of overpasses and started it. This government will complete it in time and it will be a first-class, four-lane highway leading from the International Bridge at Johnstown to our nation's capital.

Interjections.

The Acting Speaker (Ms Marilyn Churley): Order, please.

Hon Mr Villeneuve: I am proud to be a part of a government that is living up to what it has said it would do. To the member for Oakwood, come to eastern Ontario. You're welcome and your car will not go out of alignment.

The Acting Speaker: Further questions or comments?

Interjections.

The Acting Speaker: Order. The member for Cornwall.

Mr Cleary: First of all, I'd like to congratulate the member for Oakwood for a fine speech. I would have to say if I was the Minister of Transportation I would be ashamed of the way the roads have been over the past fall season. I've never seen it worse in my lifetime. I know that they have improved quite a bit over the summer, but there are areas the potholes are starting to come back. There's a layer out again, and if they don't get something into that we will have the same problem again this winter.

I've had many horror stories in my constituency office where transports have lost their wheels due to the potholes in the past winter. Also people have flipped their cars. I know the member for S-D-G & East Grenville is talking, but a lot of this happened in his riding. I know the other thing, that we're lucky to have good Samaritans in eastern Ontario on provincial highways; old Highway 2 where a good Samaritan helped fill the potty holes.

There are 72 kilometres of highway that are going to be turned back to the municipalities and the funding isn't going to go with them. You're going to get less than 60% of what it costs to rebuild that highway. I think that is very unfair. If that's not downloading on the municipalities, I never saw it. They just have the same dollars they had before and they can't afford it.

There have been lots of horror stories. The member for Oakwood mentioned my car. It was the struts; I just want to correct that. I hit a potty hole near Belleville, and it ended up with two new struts.

Anyway, the minister wants to keep an eye on his roads because they're going to be bad —

The Acting Speaker: The member's time is up. Further questions or comments?

Mr Gilles Pouliot (Lake Nipigon): I thank the member for Oakwood for his usual very factual and very good presentation.

People opposite, members of the government, take credit for spending more on blacktop. Well, let me read from the Common Sense Revolution. It says: "At the same time, \$300 million will be trimmed from the transportation ministry's capital budget." That's right here. You're not going to build more with less, not when it comes to transportation. They've taken \$300 million out of the heart of transportation, which is its infrastructure.

Furthermore, they've trimmed \$6.5 million out of the winter maintenance, with the result of fatalities, more people in the ditch. They talk about the soft shoulders. Well, up north we're concerned about the section between the soft shoulders. You have 30 and 40 kilometres and it tells you, "bumps, bumps, bumps." They should stop advertising those bumps. They should fix them.

I, for one, can attest that the section of Highway 614, a secondary highway between the town of Manitouwadge and the Trans-Canada Highway 17 — and I've lived there for 31 years — the standard, the plowing, the maintenance during winter was better when I was Minister of Transportation than it is now. At one time there were just about as many plows on Highway 614 as there were cars and trucks, and now it's the very opposite. You hardly see one.

You can't cut inspectors, you can't auction machinery to the first bidder and have the same standard. It's just not done.

1720

The Acting Speaker: The member for Oakwood.

Mr Colle: I appreciate the comments from the member for Cochrane North, who has a real message about northern highways. They're the lifelines up there, and we just can't cut any money on safety. That's what we're worried about, safety, and I think you should spend money on safety.

To the member for S-D-G & East Grenville, I do take up his challenge. I will be going up to the Ottawa Valley and eastern Ontario — I think it's a beautiful part of this province — and I'm going to go by way of Kingston and Cornwall and then up to your part.

It brought to mind the Duplessis era. Because in the Pontiac region they always voted Liberal, Duplessis would never pave Highway 5, so the poor people of Pontiac, going up Kazabazua or Lake Danford way, never got any — finally, they did get it. That was on the Quebec side.

I hope that paving and the road construction is spread all over Ontario, not just in your party's ridings. In

Cornwall, Kingston, the north, we all need highways; in Pembroke. Let's spread the good, safe highways around.

I'd also like to congratulate the former minister, the member for Lake Nipigon. He did start 416 and I think credit should be given. For years I travelled that highway and I was disgusted to go up to the nation's capital and find that highway in such condition. I hope you finish it and do it in good time.

Just in conclusion, on this side we don't mind investing in safe roads and safe highways, because you're investing not only in fewer accidents but in the economy of the province. They are a treasure of this province. Let's not let them deteriorate to what they were before. The member for Cornwall brought the pothole problem up. Let's get back to business.

The Acting Speaker: Further debate?

Mr Bisson: I'm going to have about a half-hour to make comments on third reading of Bill 92, which deals with truck safety. As I said yesterday, as we rushed through second reading debate so that we can today rush through third reading debate, although the government is moving in the right direction in this bill and the New Democratic caucus will be supporting the government in its initiative, there are a number of flaws within this legislation.

It comes back to the point that often what happens is that governments, in their haste to get their agenda through the House because they've got bigger fish to fry, such as merging the six municipalities of Metropolitan Toronto into one big megacity called Toronto, try to get legislation like this through the House real quick. So there's little time for debate, and often what ends up happening is that legislation ends up being passed that in the future can become problematic because of problems within the legislation.

I come back to the point I made yesterday. I think most members of this House, and I assume some of the backbench members of the government as well, would recognize that there's a greater role members could play, a constructive role in this House, if we were to try to reform the Legislature to give backbench members of the government and members of the opposition more ability to have real debates on this kind of legislation. That way, we could talk about the pros and the cons of moving to regulation, as an example of what this bill does under truck safety, and we'd be able to get into the specifics and deal with the question, is the government's attempt to re-regulate the trucking industry as it applies to safety being done properly?

If you take a look at this bill in a fair amount of detail, I would say, on balance, that about 60% to 75% hits the mark and is a step in the right direction, but I think maybe 35% or 40% of this bill is really lacking and there are problems with the bill itself.

I go back to the point that we need to find a way one day in Ontario to make this Legislature work better for the people of the province and not just have a Legislature that operates, as it does now, where the government of the day, because of its majority and because of the government House leader's haste to pass the government's agenda through, shoves through pieces of legislation into the Legislature and we don't have proper time

to debate bills and send them into committee so we can do a really, truly good job of trying to make the bill work.

If people have a problem with government and if people have lost interest in government and have lost faith in government, I think that's one of the reasons. I think people tune into the parliamentary channels, they watch the debate and they say, "There are some good points made by the government and there are good points made by the opposition," but what comes of it? We listen to the debate and we see a government that brings in a bill yesterday at second reading to deal with truck safety and the very next day comes back with the same act, with no changes, to get into third reading. I think people say, "What's the point of having this debate if we're not going to do something and if the debate doesn't come to something in the end?"

I feel — I'll say it out loud — that the British parliamentary system we have is a good system. It has served us well. I think this system, as compared to other democratic systems, is probably a superior system to what we have in places like the United States. But I don't think we should just stand on the status quo. The government should be looking seriously at trying to do parliamentary reform, not dealing with trying to change a rule so they can shove their bills into the House even faster, at breakneck speed, giving members of the opposition and the back bench of the government even less opportunity to debate legislation. We should be trying to turn our attention, for example, to how we legislators deal with sections of this bill which are a problem. What do we do?

Members of the public, I can tell you that as the critic for the New Democratic caucus on transportation I've had a number of people in the trucking industry, and I've had a number of people who are concerned about truck safety, come to me to talk about this legislation, in some cases to ask for our party's support in supporting this legislation, and in other areas saying, "We support the legislation but we don't think it goes far enough," or, "We think there are flaws within the bill." They want us as members of the opposition, and I would imagine they went to you as well in the government — I was in government; I remember how it works — where they came forward and said, "Could the government amend subsection 47.1(4), because we see there's a problem in that section and we would like to have it addressed?"

I say, as a member of the New Democratic opposition, "Certainly, I will make sure I bring your views forward to the Legislature, and when the bill comes to committee I will make sure that issue is raised and the government gives it due consideration." Unfortunately, because of the nature of the beast here, the government wants to sit through the months of January and February to deal with the megacity proposal, to make one big megacity in Toronto, where the city of Timmins will be sort of like a suburb of Toronto by the time you do this whole amalgamation. We're not doing proper justice to this particular bill.

As legislators we could have all come out of this at the end of the process with a much superior bill if the government had found a way of really dealing with the real issue. This government pronounces itself in favour of

reforming local government. This government comes in and pronounces itself in favour of reforming the electoral system of provincial government. But they're really missing the mark. They're not dealing with the real issue of, how do you make this Legislature work so people in the trucking industry who have problems with Bill 92 know that in the end they're going to get their say, know that in the end their points of view are going to be brought forward to the floor of the Legislature, and that when they are, possibly something will come of it?

I can tell you, in meeting with people like Mike Breaugh, who represents people in the trucking industry, and many others I met through the course of this legislation coming before us, they have a number of concerns and they're saying these concerns are not being addressed through the process we are in.

I just wanted to start with that in debate and say that we need to finally in this province try to find a way of getting legislation dealt with in a much better way so that people can once again have confidence in their governments, can have confidence in their elected representatives, knowing that they are going to have their say, that they in the end will be heard and that something may come of their attempts to bring their views to the opposition or government members, that we end up with better legislation.

Why is it the government brings this bill? This government brings this bill for a very simple reason. It brought it to this Legislature because literally the trucks are flying off the wheels of transport trucks in this province as a result of what's happened with deregulation.

Mr Baird: The trucks are flying off the wheels.

Interjections.

Mr Bisson: Excuse me, did I do it right? I got it the other way around. Oh, the trucks are flying off the wheels.

Hon Mr Villeneuve: You got it right. No wonder we need reform in this place.

The Acting Speaker: Okay, order, please.

Mr Bisson: The trucks are flying off the wheels. What's the point? Listen, you haven't seen some of those 18-wheel monsters.

Mr Pouliot: A car black or a black car, it is the same vehicle. Give me a break.

The Acting Speaker: The member for Lake Nipigon, come to order, please.

1730

Mr Bisson: Thank you very much, Madam Speaker. That was amusing.

The government comes to us with this legislation for a very simple reason. There has been a public outcry in the province of Ontario over the past number of years.

First of all, I can tell you that outcry certainly existed while we were in government. I remember that the former Minister of Transportation, the honourable member for Lake Nipigon, and the minister after him, the member for Cambridge, who was Minister of Transportation, were quite appalled at what was happening in the trucking industry as a result of deregulation of our trucking industry on the part of another Conservative government in Ottawa by the name of Mr Mulroney's government, which had moved to deregulate the trucking industry

federally. As a result of that, much of the regulation that ensures truck safety was thrown out the door, because the Conservatives in Ottawa, as the Conservatives here in Ontario, said, "If you just deregulate, if you just let the private sector do it themselves" —

Mr Baird: Leave the Conservatives in Ottawa alone.

Mr Bisson: There was a Conservative in Ottawa. He's right there. I see him.

Mr Garry J. Guzzo (Ottawa-Rideau): There was only one.

Mr Bisson: You were there, so you remember it well.

"If you can only deregulate, if you can only take all the regulations out of the way, if you can only allow us, the private sector, to play our role and to take our responsibilities, we guarantee you that we as a trucking industry will transport goods cheaper, we will do it quicker, we will do it better and we will do it safer." That's what they said.

I remember those debates, and I was one of the people at the time, because I was not an elected member, who looked at that with a certain amount of cynicism. I believed then, as I believe now, that if you completely deregulate an industry like trucking, you are going to end up in problems at the end, because what drives the motives of a trucking operator is the bottom line. There's nothing wrong with that. There's nothing wrong with them having to make a profit and wanting to make a profit and making as big a profit as possible. But if you don't have rules, as Mr Mulroney used to say, to level the playing field when it comes to truck safety standards, you're going to see, without regulation, a race to the bottom in order to get to the least amount of safety in the name of making a larger profit.

I want to say, in fairness to some of the people in the trucking industry, there are some firms under deregulation that tried to keep their trucks in a safe condition, and I would probably argue the majority of them. But there is a minority of them, some 20% or 30%, who quite frankly didn't, because they were more concerned with making a profit.

What it did is a couple of things. It first of all made our highways extremely unsafe and made safety for the motorists on our highways very much in peril as a result of unsafe trucks on our highways. The second thing that deregulating did is remove the level playing field. This is what Tories don't understand, and it really bugs me. If you deregulate, what you're doing in effect is that if 20% or 30% of those in the industry cut corners on safety in order to be able to compete and to drive their price down, in time it forces those people who want to comply and those people who want to be safe to do the same.

It's a fairly simple rule of business. If I am in business delivering goods at a particular amount per mile and some guy comes in in competition with me and offers it for less, if I want to remain in business, I'm going to have to lower my price. It's pretty simple. Or I'm going to have to do something that's pretty dramatic in regard to offering a superior service for the extra price to be able to get that customer. But more times than not, it's price that determines who gets the transportation contract.

So what happened is that those people who wanted to comply with truck safety and those companies that

wanted to make sure their trucks were safe so that they took their corporate responsibility found themselves in a position where they were having to compete with individuals who didn't care about truck safety, who were more concerned about making a larger profit or in some cases just making a profit in their trucking business, especially the smaller operators in some cases, because they were in a position where they didn't have the same resources as the larger ones.

What ends up happening is that those who want to be operating safe operations say, "Listen, I'm going to go to the person who crunches the numbers in my company, and I want you to squeeze every last cent out of this operation so that I can get my rates in line with the guy who's trying to come into competition with me." What happens? Maybe we don't service our trucks as seriously as we used to before. Maybe we cut corners when it comes to safety. That's what basically happened over a period of time. Truck safety ended up becoming a determinant in how we deal with the competitiveness of the trucking industry. In other words, we put in jeopardy the safety of our trucks by making them less safe in order to be able to compete with those bad operators. People in the trucking industry are the ones who came before us and said: "You need to regulate this industry. There has to be a level playing field. The government has to take its responsibility and say, 'There shall be regulations in the province of Ontario that apply to truck safety that are the same for every operator in the province of Ontario,' so we can compete on a level playing field and, at the same time, make trucking safe for the motorists of this province."

The industry came to this government and said, "We need you to do something." Actually, they didn't only come to this government, they came to our government before. I would argue that if we had been given an opportunity for a second term, our government under Bob Rae and under our capable minister, Mr Pouliot, or the member for Lake Nipigon, as I'm supposed to say, would have come forward with a bill that does similar things to what this bill does, and that's one of the reasons we're supporting this.

To put it in perspective, I just wanted to make sure that people in the House who may not follow these issues as closely as others — I don't expect everybody in the House to understand issues of truck transportation because as members we may not be dealing with this in some cases — and others watching know why it is that we find ourselves in the position of regulating. The federal government deregulated and, as a result, truck safety started to deteriorate, which made our highways unsafe. There was a demand from both industry and the public to do something, to re-regulate the industry to a certain extent to make truck safety a priority of this particular provincial government, and also to create that level playing field.

This is what happens. The ironic part of all of this is that it was a Conservative government which deregulated on the federal level and now it is the Conservative-Reform Party here provincially which comes before us with the wisdom of saying, "There needs to be some ability to regulate." The government is finally, after a

period of time, starting to recognize that the government can play a positive role in industry, in putting in place regulations that are fair for all — not onerous regulations to the point that companies are not able to operate.

But the government does have a role and a responsibility and can play a positive role in regulating the industry so you're able to accomplish a couple of things: (1) a safer industry, that trucks on our roads can meet a certain minimum standard when it comes to safety, and (2) that when trucking companies and individual operators out there are competing, they're competing on a level playing field, that there are rules that apply equally to all those in the trucking industry.

It's ironic that this government finally has come to terms with the notion that regulation is not a bad thing. I've listened for almost the last two years to this government saying: "Regulations are bad. We've got to get rid of regulations. Regulations are terrible. They're the worst thing. Oh, they're just so terrible. The government's got to pitch all the regulations out."

We've seen, Madam Speaker, as you well know, the government move to deregulate issues within the environment. The government has deregulated a whole bunch of issues around the mining industry. The government has deregulated many things within the forestry industry. I will say in this Legislature and put it in Hansard so that it's there for the future that that will also prove to be disastrous. It won't happen today, not today; not in 1996 will we see a very big adverse effect of some of the regulations the government has taken out or is planning to take out. But two and three and five and six and 10 years down the road, we will be paying for the folly of this government in its bid to deregulate.

The point of this government is that they really don't understand the history of this province and don't understand how it is that regulations came in in the first place. Regulations, be they for truck safety or be they for the environment, were put in place because we learned that if you didn't regulate, society would have to pay the price, either in human carnage or in dollars, later on down the road. That's why regulations were put in place.

I'll use one very simple example to illustrate the point. There have been, over the years, accidents on our highways; unfortunately, people have died from those accidents, and as a result, there were coroners' inquests into what happened. The coroner's inquest did an in-depth investigation with regard to particular accidents and found that certain things could have been done to prevent that accident in terms of truck safety or whatever it might be. The government took those recommendations from the inquest and put regulations in place to prevent in the future similar accidents from happening.

That's how regulations are born. It's not that all of a sudden the government comes before us with a bill and puts in place a whole bunch of regulations — quite the contrary. Regulations are done through powers the ministers have, through the Lieutenant Governor in Council and cabinet, to make regulations within their ministries under particular acts, and those regulations are done in the course of the government doing business to address particular issues. That's basically what's happened.

The other thing that has to be put on the record when it comes to truck safety is that the government is trying to have it both ways here. They're on the one hand trying to say, "We want to do something about truck safety," but I think the government has probably done a lot to in a way make our highways more unsafe over a period of time.

1740

The example of that I think is what happens within enforcement. I would ask the members of the government opposite, what are you going to do to enforce the regulations within this bill? How are you going to ensure that trucking companies in the province are actually following what's in this legislation if you don't put your money where your mouth is? It's going to mean that you're going to have to have inspectors out on our highways, and not just the number of inspectors we have now because we know there's not enough enforcement in the way of inspectors in Ontario as it is. How are you going to be able to enforce this?

You're going to have to go out and get inspectors to go through the province and inspect vehicles on a regular basis to make sure that our trucks are made safer. We know as it is right now it's a huge problem and they have a big task ahead of them. I would call on the government — and I hear the government later, it's going to say: "Oh Lord, here the NDP is for more government. They want to hire more bureaucrats." Bureaucrats are not exactly a bad thing. Those people who are truck enforcement officers are people who are out there doing the work on behalf of the government to make our highways safer.

It takes people to do that. You're going to have to have people out on the highways who are going to be able to go out and do the inspection of these vehicles to make sure they comply with the regulations of this act, and where there are problems, that they're able to deal with that in a judicious way to make sure there is compliance, and if there isn't compliance, as through this bill, that the CVOR of the particular trucking firm be removed if it's not doing what it should be doing.

I would say to the government, and I see the minister is here, that something be done to address the question of the enforcement side of this bill, to make sure that in the end, for the enforcement section, there's enough people out on our highways to enforce the rules of this bill.

There are a couple of points I want to make quickly about the bill specifically that I started to mention earlier, as it applies to some of the problems in this legislation. I raised this yesterday and I want to raise it again. I'm going to try to do this in as easy a way as I can. Under section 17 of this bill the government attempts to allow the registrar, the new watchdog and person in charge of CVORs in Ontario, the ability to refuse the issuance of CVOR certificates to companies that are deemed to be unsafe.

One of the things the government is trying to block — this is a good thing — is a bad operator from saying, "I'm trucking contractor John Doe and I've been found to be in non-compliance with the requirements of this bill and my CVOR is going to be lifted," and the government is attempting to not permit John Doe, the operator of that

trucking operation, to transfer his or her CVOR over to somebody else. That's good, because we know that's a problem and the government is trying to address it under this bill. But under subsection (3) you specifically say in this bill, "The registrar may refuse to issue a CVOR certificate to an applicant if the applicant is related to...a person whose CVOR certificate has been cancelled."

I understand what the government is trying to do here, but there may be problems that it will be challenged in time before the courts, because what you're in effect saying here is that the registrar — I'll just set up a scenario. Families often end up in the same kind of businesses. The father may have been in the trucking business and the sons or the daughters have gone out and created their own businesses in the trucking industry to earn their livelihood, because that's what they learned growing up, seeing their dad in that business. So let's say there's a family of three brothers and two of them are in the trucking business and for whatever reason the father has his CVOR —

Ms Marilyn Churley (Riverdale): Or his sister.

Mr Bisson: And his sister — good point. The father has his CVOR lifted because of non-compliance with the rating system as in this act. Let's say the sister decides she wants to go out and start up her own business. She figures as a business opportunity she would like to go into the trucking business because there's a buck to be made. Technically, the registrar can, because of this section of the bill, say, "I'm refusing the granting of the CVOR on the basis that you're related to a person who has a CVOR that's under suspension." The registrar will say, "I think the reason you're going into business is because you're really going to operate your dad's business."

I say that's wrong. Yes, you need to find a way to make sure the sister, in this case, doesn't just walk in and take over her dad's business and run it under another name. You need to block that, but you can't block the ability of the sister, in this case, wanting to start up a business that might be in competition with the father's business for whatever reason.

The point I'm making is that this particular bill specifically gives the registrar the permission to refuse the issuance of a CVOR certificate to an applicant if the applicant is related to the person whose CVOR is under suspension. While I think this particular section of the bill is a step in the right direction in that it's trying to block an existing problem, I think it will be challenged in the courts.

What you should have done, what you should have said in this part of the bill, is that the registrar has the right to refuse the granting of a CVOR if in the opinion of the registrar, with evidence, they are able to prove that the person who's applying for the new CVOR will be operating the existing business whose CVOR has been lifted.

This is one of the sections of the bill that I believe could have been fixed if we'd had proper time to debate this at committee and make amendments. I agree with where the government's going and what they're trying to do, but I think the way this is worded is going to be

problematic in the future. I think at one point you'll have somebody challenge this in the courts.

The other part of this bill is the powers — and I wonder truly if the government wants to do this. Well, obviously they want to do it; it's in the bill. But I wonder if they're wise in doing what they're doing here. Subsection 17(5) talks about the powers the registrar has. It says, "The registrar may issue a CVOR certificate subject to any terms and conditions set out in the regulation that the registrar considers appropriate."

What you're basically doing there is making the registrar the be-all and end-all, the buck stops there, he or she is the boss and that person decides in the end who gets a CVOR. Granted, it will be done according to the bill and according to the regulation the minister sets out, but once those regulations are in place, that person is going to have an extreme amount of power. The difficulty I have and that others I've talked to have with this bill is that there is no good system to appeal decisions made by the registrar.

I submit that if any member of this assembly were in the trucking industry and were to have a complaint about a particular ruling of the registrar that might have gone against you, you would like to have the ability to put your case before the registrar or an independent body, if that doesn't work, to say, "Hey, the registrar may have gotten this one wrong and I want to have my case heard," so that in the end, if he or she did get it wrong, we could reverse the decision of the registrar.

This bill does not provide for that. This bill simply says that if an agent of the registrar charges you and as a result of that charge your rating increases to the point that your CVOR is lifted, you will only be able to go and make submissions to the registrar in writing, in a letter, to say, "I disagree with what the registrar is doing in this case, for the following reasons." There will be no requirement in this bill to have an oral submission. You can't even do an oral submission because the registrar under this bill has the right to say: "I'm not going to hear any oral submissions. I am only going to deal with written submissions from the person who's been aggrieved."

I think that's unfair. Most fairminded people — and I really believe that members of this assembly, no matter what their political affiliation, should and do believe in due process. One of the places we're being a little bit overzealous in this bill is that we're going to give huge amounts of power to the registrar. The registrar will be able to determine who gets a CVOR and when that CVOR can be lifted according to the regulations, and the registrar will be the final authority when it comes to that. The danger is that if a decision made by the registrar is wrong, there's not going to be any way the operator can appeal the decision of the registrar. I don't think that's a good idea.

Members across the way are looking at me as I make that comment. I ask you to read that legislation. It's too late now. The bill's going to pass today, but I just want for the record to say this will be a problem. Should we allow operators the ability to forever, endlessly keep things tied up in court so that you can never pull the CVOR? No, of course not. That's not what I'm saying here.

1750

What should be happening, what I would prefer to see, as a member of the New Democratic caucus, if I was writing this legislation, would be to simply say that the registrar — conditions to the regulations as set by the minister through cabinet — has the ability to lift somebody's CVOR if they are not in compliance with the regulations, and that in the event the CVOR has been lifted, there is an ability for the operator to have a quick appeal, not just a written submission but an actual oral submission to the representative of the registrar, so that the operator can go there within a very quick time frame, and I would say 30 days is as long as you need.

But I should say ahead of time that once you've suspended a CVOR, the CVOR is suspended until such time that it's given back. In other words, the operator couldn't hold on to their CVOR while this thing is under appeal.

So there's a quick appeal, 15 to 30 days, where the person can go before the registrar, put his or her case succinctly and present the evidence that's necessary to support his or her claim. In the event that there is a decision against the operator, there should be one final appeal that goes to an independent body other than the registrar, because that's the other problem here. The problem you're into is that the registrar is the only person who can hear a complaint against himself or herself. It is the registrar who decides what type of hearing is going to happen, and in most cases it'll be a written submission. This part of the legislation is very onerous for the operators and will be a problem.

I also want to put for the record that this will very much affect small, independent operators more than the larger fleets, because the fleets have the wherewithal, because of their size, to deal with safety issues probably a little bit easier than those who are independent operators who are trying to eke out a living driving that one truck up and down the highways delivering goods. The independent operators won't have the capital, won't have the experience to deal with the regulations within this legislation and the ability to defend themselves effectively against the registrar's decision. I say to the government, it should be trying to deal with this in a more pragmatic way.

That surprises me because I've always believed, in talking to my Conservative friends in the riding of Cochrane South — yes, we have a few Conservatives in our riding who are friends of mine. I could name you names. As a matter of fact, some of them voted for me in the last election. They're red Tories. Most of the Tories in the riding of Cochrane South — it's not a big secret — are red Tories. They're not the conservative Tories we find under the guise of Mike Harris. In fact, the former member Mr Alan Pope — we're obviously not the same ideologically but he was very much more to the left than these guys are.

The point I make is that in talking to them I've always believed that this party, the Conservative Party of Ontario, was in favour of trying to find ways for small business people to have an easier way of making a buck, but what they're doing in this legislation is quite the opposite. You're putting small truck operators in a worse position, I believe, through this legislation than the larger

fleet operators who are going to be in at the end of all this. I just find that ironic. All the legislation we've seen this government do, absolutely almost everything they've done, favours the large guy, favours the large corporation, and the small independent operator, the small business person, gets it in the ear.

I'll give you a good example. Earlier this week — just in my last two minutes here — the government passed legislation in regard to Boxing Day. When it comes to the mall owners, when it comes to the operators of the large malls, they're ecstatic, they're so excited. They're going to be able to operate on Boxing Day. They're just beside themselves. But all the small business people I've talked to in my community are not interested in opening.

The small independent operator who has a storefront inside Timmins Square or the 101 Mall or in downtown Timmins is not interested in being there. They're saying: "Jeez, it's enough that I have to operate my business seven days a week as it is. I'd like to have a couple of days off a year, and Boxing Day is one of them." Plus they don't see that this is really going to favour them economically. If everybody was to be shut down, they'd probably do fine. But again the large company gets the grease and the little one gets the shaft. It's always the same thing.

I want to say in summation that the New Democratic Party of Ontario will be supporting this particular piece of legislation. We see this legislation as a step in the right direction. We say, however, that there are problems in this bill that the government will come to realize at a future date as the government is not dealing properly with this bill by allowing it to go to committee to fix some of the flaws.

I would also urge the Minister of Transportation to meet with the community of the town of Iroquois Falls, as they want to, to talk about truck safety and other matters as they relate to the bridges that are being transferred over. We'll talk about that at another date.

The last point I would like to make is that I call on the minister to make sure there is a proper number of people doing enforcement in the province of Ontario as it relates to Bill 92 so that we make sure that what is in this bill is actually being followed out in the municipalities.

The very last point: I ask you not to privatize that particular section of the Ministry of Transportation. I know you're keen on privatizing absolutely everything, but I would much rather see the Ministry of Transportation, through the registrar's office, doing this work, because I think it would operate it in the best interests of the public of Ontario.

Being that it's almost 6 of the clock, Mr Speaker, I will use that as a summation of my debate on Bill 92 and thank the House for the opportunity to bring my views forward.

The Speaker: Questions and comments?

Mr Bud Wildman (Algoma): Ditto.

Mr James J. Bradley (St Catharines): I just have this: Please don't close the Hotel Dieu Hospital in St Catharines.

The Speaker: Questions and comments? Response, member for Cochrane South?

Mr Bisson: To the member for Algoma, I would say, "Ditto," and to the member for St Catharines, they shouldn't close that hospital.

The Speaker: Mr Ouellette has moved third reading of Bill 92. Is it the pleasure of the House that the motion carry?

All those in favour, say "aye."

All those opposed, say "nay."

In my opinion, the ayes have it.

I declare the motion carried.

Resolve that this bill do now pass and be entitled as in the motion.

It now being just about 6 of the clock, this House stands adjourned until 1:30 tomorrow.

The House adjourned at 1758.

ERRATA

No.	Page	Column	Lines	Should read:
139	6115	2	21	called the Andrew Galota bill, sort of like a low blow to
139	6115	2	23	using Galota as their, perhaps, spin doctor on this.

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